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FOR

INTERNATIONAL PEACE

YEAR BOOK

FOR 1913-1914



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**FOUNDED DECEMBER FOURTEENTH  
1910**

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## **YEAR BOOK FOR 1913-1914**

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Publicist and diplomatist; member of the Italian Chamber of Deputies; member of the Permanent Court of Arbitration; member of the Institute of International Law; delegate to the Second Hague Conference; delegate to the London Naval Conference; formerly Minister of Public Instruction; arbiter in international controversies.

**GRAM, GREGERS W. W. (Norway),**

Statesman and publicist; Governor of Hamar; member of the Permanent Court of Arbitration; formerly Minister of State; formerly judge of Mixed Courts of Egypt; arbiter in well known international controversies, beginning with the Bering Sea arbitration of 1892.

**HAGERUP, FRANCIS (Norway),**

Statesman and diplomatist; Minister of State; Norwegian Minister to Denmark and Holland; member of the Permanent Court of Arbitration; member of the Nobel Committee of the Norwegian Parliament; formerly President of the Institute of International Law; formerly Professor of Law at the University of Christiania; formerly Prime Minister of Norway (1895-1898), (1903-1905); arbiter in international controversies.

**HARBURGER, H. (Germany),**

President of the Civil Chamber of the Court of Appeal and Honorary Professor at the University of Munich; President of the Institute of International Law.

**HOLLAND, THOMAS ERSKINE (Great Britain),**

Publicist, educator and author; President of the Institute of International Law; formerly Chichele Professor of International Law and Diplomacy in the University of Oxford; delegate to the Geneva Red Cross Conference of 1906.

**LAMMASCH, HEINRICH (Austria),**

Publicist; Professor of International Law in the University of Vienna; member of the Herrenhaus of Austria; member of the Permanent Court of Arbitration; member of the Institute of International Law; Austro-Hungarian delegate to the First and Second Hague Conferences; arbiter from 1902 in international cases tried in the Permanent Court of Arbitration.

**LARDY, CHARLES ÉDOUARD (Switzerland),**

Diplomatist; member of the Permanent Court of Arbitration; Minister of Switzerland to France; formerly President of the Institute of International Law; arbiter in international controversies.

**RENAULT, LOUIS (France),**

Publicist, educator and author; Professor of International Law in the University of Paris; Professor of International Law in the *École libre des sciences politiques*; Jurisconsult in the Ministry of Foreign Affairs; member of the Permanent Court of Arbitration; delegate to the First and Second Hague Conferences, to the Geneva Red Cross Conference (1906), to the London Naval Conference (1908-9); formerly President of the Institute of International Law; arbiter in international controversies.

**ROLIN, ALBÉRIC (Belgium),**

Publicist, educator and author; Secretary-General of the Institute of International Law; Director-General of the Library of the Peace Palace at The Hague; formerly President of the Institute of International Law; formerly Professor of Private International Law in the University of Ghent.

**VESNITCH, MILENKO R. (Servia),**

Diplomatist; Servian Minister to France and Belgium; member of the Permanent Court of Arbitration; Vice-President of the Institute of International Law; formerly Minister of Justice; formerly Minister of Public Instruction; formerly President of Servian Parliament; formerly Servian Minister to Italy.

**Bibliothèque Internationale du Droit des Gens**

*Director, A. G. de Lapradelle, 2 rue Lecourbe, Paris, France.*

**Academy of International Law at The Hague  
Established with the Coöperation of the Carnegie Endowment for  
International Peace**

**MEMBERS OF THE CURATORIUM****ALVAREZ, ALEJANDRO (Chile),**

Counselor to the Legations of Chile in Europe; member of the Permanent Court of Arbitration; delegate to the Fourth Pan American Conference; formerly Professor of International Law at the University of Santiago; associate of the Institute of International Law; Secretary-General of the American Institute of International Law.

**DESCAMPS, BARON (Belgium),**

Senator; Professor at the University of Louvain; member of the Permanent Court of Arbitration; delegate to the First Hague Peace Conference; formerly Minister of Arts and Sciences; formerly President of the Interparliamentary Union; formerly President of the Institute of International Law.

**FUSINATO, GUIDO (Italy),**

Member of the Italian Chamber of Deputies; member of the Permanent Court of Arbitration; member of the Institute of International Law; delegate to the Second Hague Peace Conference; delegate to the London Naval Conference; formerly Minister of Public Instruction; arbiter in international controversies.

**GOOS, CARL (Denmark),**

Privy Councilor; formerly Minister of Justice; honorary member of the Institute of International Law.

**HAGERUP, FRANCIS (Norway),**

Minister of State; Norwegian Minister to Denmark and Holland; member of the Permanent Court of Arbitration; member of the Nobel Committee of the Norwegian Parliament; formerly President of the Institute of International Law; formerly Professor of Law at the University of Christiania; formerly Prime Minister of Norway (1895-1898), (1903-1905); arbiter in international controversies.

**HARBURGER, H. (Germany),**

President of the Civil Chamber of the Court of Appeal; Honorary Professor at the University of Munich; President of the Institute of International Law.

**HEEMSKERK, TH. (The Netherlands),**

President of the State Commission for Private International Law; member of the Council of State; formerly Prime Minister and Minister of the Interior; delegate to the Third International Conference on Private International Law; Curator of the Free University of Amsterdam.

**LARDY, CHARLES EDOUARD (Switzerland),**

Member of the Permanent Court of Arbitration; Minister of Switzerland to France; formerly President of the Institute of International Law; arbiter in international controversies.



**REAY, LORD (Great Britain),**

Member of the House of Lords; delegate to the Second Hague Peace Conference; formerly Governor of Bombay; formerly President of the Institute of International Law; formerly President of the British Academy.

**RENAULT, LOUIS (France),**

Professor of International Law in the University of Paris; Professor of International Law in the *École libre des sciences politiques*; Jurisconsult in the Ministry of Foreign Affairs; member of the Permanent Court of Arbitration; delegate to the First and Second Hague Peace Conferences, to the Geneva Red Cross Conference (1906), to the London Naval Conference (1908-1909); formerly President of the Institute of International Law; arbiter in international controversies.

**SCOTT, JAMES BROWN (United States),**

Secretary of the Carnegie Endowment for International Peace and Director of its Division of International Law; member of the Institute of International Law; President of the American Institute of International Law; lecturer on International Law and Diplomacy at Johns Hopkins University; Editor-in-Chief of the *American Journal of International Law*; technical delegate to the Second Hague Peace Conference; counsel in the North Atlantic Coast Fisheries Arbitration at The Hague; formerly Solicitor for the Department of State.

**TAUBE, BARON MICHEL DE (Russia),**

Counselor to the Ministry of Foreign Affairs; Professor of International Law in the University of St. Petersburg; member of the Permanent Court of Arbitration; delegate to the London Naval Conference; associate of the Institute of International Law.

## MR. CARNEGIE'S LETTER TO THE TRUSTEES READ AT THEIR FIRST MEETING

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DECEMBER 14, 1910.

GENTLEMEN: I have transferred to you as Trustees of the Carnegie Peace Fund, Ten Million Dollars of Five Per Cent. First Mortgage Bonds, the revenue of which is to be administered by you to hasten the abolition of international war, the foulest blot upon our civilization. Altho we no longer eat our fellowmen nor torture prisoners, nor sack cities killing their inhabitants, we still kill each other in war like barbarians. Only wild beasts are excusable for doing that in this, the Twentieth Century of the Christian era, for the crime of war is inherent, since it decides not in favor of the right, but always of the strong. The nation is criminal which refuses arbitration and drives its adversary to a tribunal which knows nothing of righteous judgment.

I believe that the shortest and easiest path to peace lies in adopting President Taft's platform, who said in his address before the Peace and Arbitration Society, New York, March 22d, 1910:

"I have noticed exceptions in our arbitration treaties, as to reference of questions of national honor to courts of arbitration. Personally I do not see any more reason why matters of national honor should not be referred to a court of arbitration than matters of property or of national proprietorship. I know that is going farther than most men are willing to go, but I do not see why questions of honor may not be submitted to a tribunal composed of men of honor who understand questions of national honor, to abide by their decision, as well as any other questions of difference arising between nations."

I venture to quote from my address as President of the Peace Congress in New York, 1907:

"Honor is the most dishonored word in our language. No man ever touched another man's honor; no nation ever dishonored another nation; all honor's wounds are self-inflicted."

At the opening of the International Bureau of American Republics at Washington, April 26, 1910, President Taft said:

"We twenty-one republics cannot afford to have any two or any three of us quarrel. We must stop this, and Mr. Carnegie and I will not be satisfied until all nineteen of us can intervene by proper measures to suppress a quarrel between any other two."

I hope the Trustees will begin by pressing forward upon this line, testing it thoroughly and doubting not.

The judge who presides over a cause in which he is interested dies in infamy if discovered. The citizen who constitutes himself a judge in his own cause as against his fellow-citizen, and presumes to attack him, is a law-breaker and as such disgraced. So should a nation be held as disgraced which insists upon sitting in judgment in its own cause in case of an international dispute.

I call your attention to the following resolution introduced by the Committee of Foreign Relations in the First Session, Fiftieth Congress, June 14, 1888:

"Resolved by the Senate (the House of Representatives concurring), that the President be, and is hereby, requested to invite, from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration and be peaceably adjusted by such means (resolution not reached on calendar during session, but reintroduced and passed: Senate, February 14, 1890. Passed, House, April 3, 1890)."

This resolution was presented to the British Parliament, which adopted a resolution, approving the action of the Congress of the United States and expressing the hope that Her Majesty's Government would lend their ready co-operation to the Government of the United States for the accomplishment of the object in view (Resolution of the House of Commons, July 16, 1893, *For. Rel.* 1893, 346, 352).

Here we find an expression of the spirit which resulted in the first international Hague Conference of 1899; the second Hague Conference of 1907; eighty treaties of obligatory arbitration between the great nations of the world, our own country being a party to twenty-three of them.

It was my privilege to introduce to President Cleveland in 1887 a Committee of Members of Parliament of Britain, headed by Sir William Randal Cremer, in response to the action of Congress, proposing a treaty agreeing to settle all disputes that might arise between America and Great Britain by arbitration. Such a treaty was concluded between Lord Pauncefoot and Secretary Olney in 1897. It failed of approval by the necessary two-thirds majority of the Senate by only three votes.

There is reason to believe that the British Government has been desirous of having that treaty ratified by our Government or ready to agree to another of similar character, so that President Taft's policy seems within easy reach of

success. If the English-speaking race adopts such a treaty we shall not have to wait long for other nations to join, and it will be noticed that the resolution of Congress in 1890 embraces "any government with which the United States has or may have diplomatic relations."

If the independence and rights of nations to their respective internal policies were first formally recognized in such treaties, no dispute concerning these elements of sovereignty could arise.

In order to give effect to this gift, it will be suitable that the Trustees herein named shall form a corporation with lawful powers appropriate to the accomplishment of the purposes herein expressed and I authorize the conveyance of the fund to such a corporation.

The Trustees have power to sell, invest, or re-invest all funds, either in the United States or in other countries, subject as respects investments in the United States to no more restriction than is imposed upon savings banks or insurance companies in the State of New York.

No personal liability will attach to Trustees for their action or nonaction as Trustees. They may act as a Board. They have power to fill vacancies or to add to their number and to employ all officials and to fix their compensation whether members of the Board or not. Trustees shall be reimbursed all expenses incurred in connection with their duties as Trustees, including traveling expenses attending meetings, including expenses of wife or daughter to each annual meeting. A majority of the Trustees may act for the whole. The President shall be granted such honoraria as the Trustees think proper and as he can be prevailed upon to accept.

Lines of future action cannot be wisely laid down. Many may have to be tried, and having full confidence in my Trustees I leave to them the widest discretion as to the measures and policy they shall from time to time adopt, only premising that the one end they shall keep unceasingly in view until it is attained, is the speedy abolition of international war between so-called civilized nations.

When civilized nations enter into such treaties as named, and war is discarded as disgraceful to civilized men, as personal war (duelling) and man selling and buying (slavery) have been discarded within the wide boundaries of our English-speaking race, the Trustees will please then consider what is the next most degrading remaining evil or evils whose banishment—or what new elevating element or elements if introduced or fostered, or both combined—would most advance the progress, elevation and happiness of man, and so on from century to century without end, my Trustees of each age shall determine how they can best aid man in his upward march to higher and higher stages of development unceasingly; for now we know that man was created, not with an instinct for his own degradation, but imbued with the desire and the power for improvement to which, perchance, there may be no limit short of perfection even here in this life upon earth.

Let my Trustees therefore ask themselves from time to time, from age to age, how they can best help man in his glorious ascent onward and upward and to this end devote this fund.

Thanking you for your cordial acceptance of this trust and your hearty approval of its object, I am

Very gratefully yours,

ANDREW CARNEGIE.

Witness :

LOUISE WHITFIELD CARNEGIE.

MARGARET CARNEGIE.

### RESOLUTIONS OF ACCEPTANCE

*Resolved*, That the Trust Fund, for the promotion of peace, specified in the instrument subscribed to and delivered this day by Mr. Andrew Carnegie, be and it is hereby accepted for the purposes prescribed by the donor.

*Resolved*, That in undertaking to hold and use, in trust, this munificent gift for the benefit of mankind, the Trustees are moved by a deep sense of the sincere and noble spirit of humanity which inspires the donor of the Fund. They feel that all thoughtful men and women should be grateful to him, and should be glad to aid, so far as lies within their power, towards the accomplishment of the much-to-be-desired end upon which he has fixed his hopes, and to which he desires to contribute. They are not unmindful of the delicacy and difficulty involved in dealing with so great a sum, for such a purpose, wisely and not mischievously, and in ways which shall be practical and effective. They accept the Trust in the belief that, although, doubtless, many mistakes may be made, great and permanent good can be accomplished.

**PROPOSED CHARTER (H. R. 32084) APPROVED IN THE BY-LAWS  
OF THE ASSOCIATION**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons, namely, Robert S. Brookings, Thomas Burke, Nicholas Murray Butler, John L. Cadwalader, Joseph H. Choate, Cleveland H. Dodge, Charles W. Eliot, Robert A. Franks, Arthur William Foster, John W. Foster, Austen G. Fox, William M. Howard, Samuel Mather, Andrew J. Montague, George W. Perkins, Henry S. Pritchett, Elihu Root, Jacob G. Schmidlapp, James Brown Scott, James L. Slayden, Albert K. Smiley, Oscar S. Straus, Charles L. Taylor, Charlemagne Tower, Andrew D. White, John Sharp Williams, Robert S. Woodward, Luke E. Wright, their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of the "Carnegie Endowment for International Peace," and by such name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the objects of the corporation shall be to advance the cause of peace among nations, to hasten the abolition of international war, and to encourage and promote a peaceful settlement of international differences, and, in particular—

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.

(c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.

(d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.

(e) To cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations.

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes.

(g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

(h) To take and hold such property, real or personal, and to invest and keep invested and receive and apply the income of such funds, and to construct



and maintain such buildings or establishments, as shall be deemed necessary to prosecute and develop the purposes of the corporation, or any of them.

(i) To do and perform all lawful acts or things necessary or proper in the judgment of the trustees to promote the objects of the corporation.

With full power, however, to the trustees hereinafter named, and their successors, from time to time, to modify the conditions and regulations under which the work shall be carried on, and the particular purposes to which the income shall be applied, so as to secure the application of the funds in the manner best adapted to the conditions of the time: *Provided*, That the purposes of the corporation shall at all times be among the foregoing or kindred thereto.

SEC. 3. That the management and direction of the affairs of the corporation and the control and disposition of its property and funds shall be vested in a board of trustees, twenty-eight in number, to be composed of the following individuals: Robert S. Brookings, Thomas Burke, Nicholas Murray Butler, John L. Cadwalader, Joseph H. Choate, Cleveland H. Dodge, Charles W. Eliot, Robert A. Franks, Arthur William Foster, John W. Foster, Austen G. Fox, William M. Howard, Samuel Mather, Andrew J. Montague, George W. Perkins, Henry S. Pritchett, Elihu Root, Jacob G. Schmidlapp, James Brown Scott, James L. Slayden, Albert K. Smiley, Oscar S. Straus, Charles L. Taylor, Charlemagne Tower, Andrew D. White, John Sharp Williams, Robert S. Woodward, Luke E. Wright, who shall constitute the first board of trustees. Vacancies caused by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as shall be prescribed from time to time by the by-laws of the corporation. The persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the trustees and committees thereof may be held elsewhere, as provided by the by-laws of the corporation.

SEC. 5. That the board of trustees shall be entitled to take, hold, and administer any securities, funds, or property which may at any time be given, devised, or bequeathed to them or to the corporation for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint such officers and agents, whether members of the board of trustees or otherwise, as may be deemed necessary for carrying on the business of the corporation, at such salaries or remuneration as the trustees may deem proper; with full power to adopt by-laws and such rules or regulations as shall be deemed necessary to secure the safe and convenient transaction of the business of the corporation; and full power and discretion to invest any principal and deal with and expend the income of the corporation in such manner as in the judgment of the trustees will best promote the objects hereinbefore set forth;

and, in general, to have and use all the powers and authority necessary and proper to promote such objects and carry out the purposes of the corporation. The trustees shall have power to hold as investments any securities given, assigned, or transferred to them or to the corporation by any person, persons, or corporation, and to retain such investments, and to invest any sums or amounts from time to time in such securities and in such form and manner as may be permitted to trustees or to charitable or literary corporations for investment according to the laws of the States of New York, Pennsylvania, or Massachusetts, or any of them, or in such securities as may be authorized for investment by any deed of trust, or by any act or deed of gift or last will and testament.

SEC. 6. That all personal property and funds of the corporation held, or used, for the purposes thereof, pursuant to the provisions of this Act, whether of principal or income, shall, so long as the same shall be so used, be exempt from taxation by the United States or any Territory or District thereof: *Provided*, That such exemption shall not apply to any property, principal or income, which shall not be held or used for the purposes of the corporation.

SEC. 7. That the services of the trustees, when acting as such, shall be gratuitous, but the corporation may provide for the reasonable expenses incurred by the trustees in attending meetings or otherwise in the performance of their duties.

SEC. 8. That Congress may from time to time alter, repeal, or modify this Act of incorporation, but no contract or individual right made or acquired shall thereby be divested or impaired.

## BY-LAWS OF THE ASSOCIATION

ADOPTED MARCH 9, 1911

### ARTICLE I

#### THE TRUSTEES

SECTION 1. Pending the incorporation of the trustees, the business of the Trust shall be conducted by the trustees as an unincorporated association, and shall be managed and controlled by the board of trustees, which shall consist of twenty-eight members, who shall hold office continuously and not for a stated term.

The name of the association shall be "Carnegie Endowment for International Peace."

SECTION 2. Vacancies in the board of trustees shall be filled by the trustees, by ballot, by a vote of two-thirds of the trustees present at a meeting. No person shall be elected, however, who shall not have been nominated, in writing, by some member of the board of trustees twenty days before an annual or special meeting. A list of the persons so nominated, with the names of the proposers, shall be mailed to each member of the board of trustees twenty days before a meeting, and no other nomination shall be considered except by the unanimous consent of the trustees present.

SECTION 3. In case any trustee shall fail to attend three successive annual meetings of the board, he shall thereupon cease to be a trustee.

SECTION 4. No trustee shall receive any compensation for his services as such.

### ARTICLE II

#### MEETINGS

SECTION 1. The principal office of the association shall be in the City of Washington, in the District of Columbia. The annual meeting of the board of trustees shall be held on the second Thursday of December in each year.<sup>1</sup>

SECTION 2. Special meetings of the board may be called by the executive committee at such place as the committee shall determine, by notice served personally upon or mailed to the usual address of each trustee, twenty days prior to the meeting, as the names and addresses of such trustees appear upon the books of the association.<sup>2</sup>

<sup>1</sup>See Amendment I, page 14.

<sup>2</sup>See Amendment II, page 14.

SECTION 3. Special meetings shall be called by the president in the same manner upon the written request of seven members of the board.

SECTION 4. A majority of the trustees shall constitute a quorum.

SECTION 5. The order of business at the annual meeting of the board of trustees shall be as follows:

1. Calling the roll.
2. Reading of the notice of the meeting.
3. Reading of the minutes of the last annual or special meeting.
4. Reports of officers.
5. Reports of committees.
6. Election of officers and trustees.
7. Miscellaneous business.

### ARTICLE III

#### OFFICERS

SECTION 1. The officers of the association shall be a president and a vice-president, who shall be elected from the members of the board by ballot annually. There shall also be a secretary elected from the members of the board, who shall serve during the pleasure of the board, and a treasurer, who may or may not be a member of the board, who shall be elected by the board and serve during the pleasure of the board.

### ARTICLE IV

#### THE PRESIDENT

SECTION 1. The president shall be the presiding officer of the association and chairman, *ex officio*, of the executive committee. He shall preside at all meetings of the board or the executive committee, and exercise the usual duties of a presiding officer. He shall have general supervision of all matters of administration and of all the affairs of the association.

SECTION 2. In the absence or disability of the president, his duties shall be performed by the vice-president.

### ARTICLE V

#### THE SECRETARY

SECTION 1. The secretary shall be the chief administrative officer of the association and, subject to the authority of the board and the executive committee, shall have immediate charge of the administration of its affairs and of the work undertaken by it or with its funds. He shall devote his entire time to the work of the association. He shall prepare and submit to the board of trus-

tees and to the executive committee plans, suggestions and recommendations for the work of the association, shall carry on its correspondence, and generally supervise the work of the association. He shall sign and execute all instruments in the name of the association when authorized to do so by the board of trustees or by the executive committee or the finance committee. He shall countersign all cheques, orders, bills or drafts for the payment of money, and shall perform the usual duties of a secretary and such other duties as may be assigned to him by the board or the executive committee.

SECTION 2. He shall be the legal custodian of all property of the association whose custody is not otherwise provided for. He shall submit to the board of trustees, at least thirty days before its annual meeting, a written report of the operations and business of the association for the preceding fiscal year, with such recommendations as he shall approve.

SECTION 3. He shall act, *ex officio*, as secretary of the board of trustees and of the executive committee, and shall have custody of the seal and affix the same when directed so to do by the board, the executive committee or the finance committee.

SECTION 4. An assistant secretary may be appointed by the executive committee to perform the duties or exercise the powers of the secretary, or some part thereof.

## ARTICLE VI

### THE TREASURER

SECTION 1. The treasurer shall have the care and custody of all funds and property of the association as distinguished from the permanent invested funds and securities, and shall deposit the same in such bank, trust company or depository as the board of trustees or the executive committee shall designate, and shall, subject to the direction of the board or the executive committee, disburse and dispose of the same, and shall perform the usual duties incident to the office of treasurer. He shall report to each meeting of the executive committee. He shall keep proper books of account of all moneys or disposition of property received and paid out on account of the association, and shall exhibit the same when required by the executive committee, the finance committee or any officer of the association. He shall submit a report of the accounts and financial condition of the association, and of all moneys received or expended by him, at each annual meeting of the association. He may be required to give a bond for the faithful discharge of his duties, in such sum as the executive committee may require.

SECTION 2. An assistant treasurer may be appointed by the executive committee to perform the duties and exercise the powers, or some part thereof, of the treasurer. Such assistant treasurer may be either an individual or a corporation, who may in like manner be required to furnish a bond.

## ARTICLE VII

### THE EXECUTIVE COMMITTEE

SECTION 1. There shall be an executive committee, consisting of the president, the secretary, and five other trustees elected by the board by ballot for a term of three years who shall be eligible for re-election. The members first elected shall determine their respective terms by lot, two to serve three years, two to serve two years and one a single year. A member elected to fill a vacancy shall serve for the remainder of the term.

SECTION 2. The executive committee shall, subject to the authority of the board, and when the board is not in session, exercise all the powers of the board in the management, direction and supervision of the business and the conduct of the affairs of the association. It may appoint advisory committees, or agents, with such powers and duties as it shall approve, and shall fix salaries of officers, agents and employees.

SECTION 3. The executive committee shall direct the manner in which the books and accounts of the association shall be kept, and shall cause to be examined from time to time the accounts and vouchers of the treasurer for moneys received and paid out by him. Such committee shall submit a written report to the board at each meeting of the board, and shall submit an annual report to the annual meeting of the board.

SECTION 4. Whenever any vacancy shall occur in the executive committee or in the office of secretary or treasurer, or in any other office of the association by death, resignation or otherwise, the vacancy shall be filled by appointment by the executive committee until the next annual meeting of the board of trustees.

SECTION 5. A majority of the executive committee shall constitute a quorum.

## ARTICLE VIII

### FINANCE COMMITTEE

SECTION 1. The finance committee shall consist of three trustees to be elected by the trustees by ballot annually.

SECTION 2. The finance committee shall have custody of the permanent invested funds and securities of the association and general charge of its investments, and shall care for, invest and dispose of the same subject to the directions of the board of trustees and of the executive committee. It shall consider and recommend to the board from time to time such measures as in its opinion will promote the financial interests of the association, and shall make a report at each annual meeting of the board.

Pending incorporation the title to the permanent invested funds and securities of the association, as well as the custody thereof, shall be vested in the finance committee in trust for the association.

## ARTICLE IX

## TERMS OF OFFICE

The terms of office of all officers and of all members of committees shall continue until their successors in each case are appointed.

## ARTICLE X

## FINANCIAL ADMINISTRATION

SECTION 1. The fiscal year of the association shall commence on the first day of July in each year.

SECTION 2. The executive committee, at least one month prior to the annual meeting in each year, shall cause the accounts of the association to be audited by a skilled accountant, to be appointed by the president, and shall submit to the annual meeting of the board of trustees a full statement of the finances and work of the association, and shall mail to each member of the board of trustees a detailed estimate of expenses and requirements for appropriation for the ensuing fiscal year, thirty days before the annual meeting.

SECTION 3. The board of trustees at the annual meeting in each year shall make general appropriations for the ensuing fiscal year, and may make special appropriations from time to time.

SECTION 4. The securities of the association and other evidences of property shall be deposited under such safeguards as the trustees or the executive committee shall designate; and the moneys of the association shall be deposited in such banks or depositories as may from time to time be designated by the executive committee.

## ARTICLE XI

These by-laws may be amended at any annual or special meeting of the board of trustees by a majority vote of the members present, provided written notice of the proposed amendment shall be personally served upon, or mailed to the usual address of, each member of the board at least twenty days prior to such meeting.

## ARTICLE XII

The executive committee is hereby empowered to accept, on behalf of the association, a charter of the tenor and form reported by the Judiciary Committee of the House of Representatives to the House on the third day of February, 1911 (H. R. 32084, "To incorporate the Carnegie Endowment for International Peace"), and laid before the trustees of this association on the ninth day of March, 1911, with such alterations and amendments thereto as may be imposed by Congress and are not, in the judgment of the executive committee, inconsistent with the effective prosecution of the purposes of the association.



Upon the granting of such charter the property and business of the association shall be transferred to the corporation so formed and a meeting of the trustees shall be called for the purpose of regulating and directing the further conduct of the business by the corporation.

#### AMENDMENT I

(Adopted December 12, 1912)

*Resolved*, That Article 2, Section 1, of the By-Laws of the Association be, and it is hereby, amended, by striking out the words "second Thursday of December," and inserting in lieu thereof the words "third Friday of April."

#### AMENDMENT II

(Adopted April 18, 1913)

*Resolved*, That the following sentence be added to Section 2, Article 2, of the By-Laws:

"A special meeting of the Board on the second Friday of November in each year shall be called and held in accordance with the provisions of this section, for the transaction of such business as the Board shall determine upon, including any special appropriations that may be found necessary."

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**REPORT OF THE EXECUTIVE COMMITTEE TO THE  
BOARD OF TRUSTEES**

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## REPORT OF THE EXECUTIVE COMMITTEE TO THE BOARD OF TRUSTEES

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### TO THE BOARD OF TRUSTEES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

In compliance with Article 7, Section 3, of the By-Laws, the Executive Committee submits its annual report for the preceding year.

The financial statement for the year and the Secretary's report on the operations and business of the Association for the preceding fiscal year have been mailed to each member of the Board. A detailed estimate of requirements for appropriation for the ensuing fiscal year accompanies this report.<sup>1</sup>

The Committee, in compliance with Article 10, Section 2, of the By-Laws, has caused the accounts of the Association to be audited by a skilled accountant, whose report will be laid before the Board.<sup>2</sup>

The Board will be called upon at its present meeting to fill two vacancies in the Executive Committee, those arising because of the expiration of the terms of Messrs. Butler and Fox, and to elect in regular course the President, Vice-President and Finance Committee for the year 1914.

Since the annual meeting of the Board in December, 1912, which was the last annual meeting to which this Committee submitted a formal report, and at which the date of the annual meeting was changed to April, the Committee has held meetings on the following dates: January 11, February 7, March 28, April 18, May 24, June 28, October 20, November 14, December 20, 1913, and February 21, 1914. The minutes of all of these meetings, showing in detail the action and resolutions of the Committee, have been sent regularly by the Secretary to each member of the Board.

At its first meeting—January 11, 1913,—after the Board meeting on December 12, 1912, the Executive Committee took the necessary steps to arrange for the transfer of the office of Treasurer from the temporary occupant of that position to the permanent Treasurer elected by the Board, Mr. Charlemagne Tower. Mr. Tower assumed the duties of the office on February 1, 1913, and copies of his reports submitted to each meeting of the Executive Committee, as required by the By-Laws, have been mailed regularly by the Secretary to each member of the Board. These reports show from month to month the condition of the finances of the Association and the disbursements made in carrying on its operations.

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<sup>1</sup>Printed herein, pages 195-196.

<sup>2</sup>Printed herein, page 191.

### Secretary's Office and General Administration

The work of the Secretary's office consists generally of performing the duties prescribed for the Secretary by the By-Laws, namely, the general supervision of the Endowment's operations and of the details of the administrative management of its affairs. The actions of the Executive Committee with reference to this office relate chiefly to the allotment of funds for carrying on this general administrative work, and, since the Secretary's report to the Board contains a complete statement of these allotments and fully explains their use, it is not necessary for the Committee again to refer to them here, except in a few cases where the Committee found it advisable to somewhat increase the work of the office.

It has been deemed desirable to provide for a larger edition of the Year Book. The importance of this volume—the official account of the Endowment's activities—has already been pointed out in the previous report of the Secretary to the Board (Year Book for 1912, page 31), and the growing demands for a larger edition were also therein referred to. The Committee, after careful consideration, decided to increase the edition to 10,000 copies.

The Committee has provided for the keeping of an extensive mailing list as a part of the headquarters equipment. The necessity for such a list was very much impressed upon the Committee at the time of the issuance of the statement of certain of the Trustees concerning the Panama Canal tolls question. Through a temporary arrangement at that time a very satisfactory distribution of that statement was made, but the Committee then decided that the Endowment should have permanent facilities for reaching the people of the country upon matters which it might be desired to bring to their attention, and the Secretary was directed to take steps to prepare and keep such a list. This has been done and it involves the addition of two clerks to the permanent clerical force. The method of obtaining the names for and keeping the list is described in the Secretary's report.

The work of editing, printing and distributing the publications issued directly by the Endowment is, for reasons of economy and uniformity, performed at the headquarters. The Secretary's report shows a very considerable increase in this kind of work during the preceding year, due to the increase of the work of the Divisions, and the Committee provided an additional allotment of funds in order to enable his office to carry on the work.

The Board, at its meeting on November 14, 1913, approved the purchase of the headquarters buildings at Washington and provided the necessary funds to pay the purchase price. These buildings were originally erected as private residences, and it was necessary that certain alterations be made in order to fit them for permanent office use. The Committee accordingly authorized the Secretary to make the necessary improvements to the buildings, which are referred to in his report. The buildings afford accommodations for the Secretary's office and for the Division of International Law. An office in them has also been assigned for the use of the American Group of the Interparliamentary Union, of which

the Assistant Secretary of the Endowment is the Executive Secretary. This connection between the Endowment and the Interparliamentary Union with the explanation thereof was reported to the Board by the Secretary in his report for last year (Year Book for 1912, page 33). Provision has also been made in the buildings for an office for the American Society of International Law, with which some of the officials of the Endowment are closely identified. This room is used primarily for providing quarters for the translators for the Spanish edition of the American Journal of International Law, which is being issued by the Society at the request of and under an arrangement with the Endowment.

A further act of the Executive Committee coming under the head of general administration should also be referred to here. In the annual report of the Secretary for last year (Year Book, page 30) he referred to the question of printing and properly distributing the scientific publications of the Endowment, that is, the works containing the concrete results of the labors of the Endowment in its scientific fields, principally through the Division of Economics and History and the Division of International Law. He stated that he was carrying on negotiations to secure a competent and responsible publishing house, whose facilities are such that it can not only print but distribute and place such publications upon the market in all parts of the world. The negotiations referred to resulted in the conclusion on June 16th last of an agreement between the Secretary, acting on behalf of the Endowment, and the Delegates of the Clarendon Press of the University of Oxford, under which the Press agrees to act as printer and publisher for the Endowment and to use its excellent facilities in all parts of the world for calling the Endowment's publications to the attention of the interested public and placing them within the reach of those who may desire to obtain them. The Committee believes that by means of the arrangement the Endowment's publications of a less popular kind, which might otherwise remain indefinitely in storage, will become a part of the literature of the subject with which they deal, and thus justify the considerable outlays which are being made on them. The Committee has approved the action of the Secretary in signing the contract.

Heretofore, the appropriation for administration has been charged with the cost of the Year Book and of the up-keep of the general library. The Committee does not consider that these two items are proper charges against the cost of administration, in the sense in which that term is generally used in estimating overhead charges. The Year Book, being the public account of the Endowment's activities, may properly be regarded as a part of the publicity branch of its work. The library is maintained not only for the use of the officers of the Endowment but to supply information to the public on the subjects in which the Endowment is interested, in accordance with the provision of the Articles of Association with reference to the diffusion of information. The Committee has recently decided to add to the usefulness of the library in this respect, by enlarging its reference department, and, in further pursuance of this policy, the Secretary has recom-

mended the preparation and distribution by the library of selected bibliographical lists on international affairs, which the Committee has approved by the addition of one clerk in the library to assist in doing this work.

The requirements for the Secretary's office have, therefore, for the ensuing fiscal year, been divided into two appropriations, namely, one for administration and one for the library and publication of the Year Book.

### **Division of Intercourse and Education**

This Division was established to perform, and it has generally assumed the functions of, a militant force in the work of propaganda which is so essential to the creation and maintenance of an enlightened public opinion on the subject of international peace. The many directions which this form of activity may properly take and the large amount of funds which may be legitimately and advantageously utilized therein are shown in the report of the Acting Director of the Division, wherein he narrates in detail the use which has been made of the funds allotted by the Executive Committee, in accordance with the appropriations of the Board, for expenditure in his Division. The administration of the Division in the United States and in Europe, its work in Europe, the corps of special correspondents, the conduct of relations with the other American republics and with Japan and the Orient, the organization of international visits of representative men, the helpful assistance of the Association for International Conciliation and other work in the United States, are sufficiently explained in the report of this Committee for last year and in the reports of the Acting Director, and need no repetition to emphasize the splendid and efficient machinery which has been built up "for the organization throughout the world," in the words of the Acting Director, "of centers of interest and of constructive policy that may be used in the years to come as the foundation upon which to erect a superstructure of international confidence and good will and, therefore, of peace."

The visit to South America of the Honorable Robert Bacon, who has since been elected a member of the Board of Trustees, undertaken in pursuance of the plan of this Division for a Latin American exchange, turned out to be a most important step in the organization of the work of the Endowment in the Latin American field. The object of Mr. Bacon's visit was stated in the instructions to him from the President of the Board to be "to secure the interest and sympathy of the leaders of opinion in South America in the various enterprises for the advancement of international peace which the Endowment is seeking to promote, and, by means of personal intercourse and explanation, to bring about personal co-operation in that work in South America." Instead of confining his activities to one Division, Mr. Bacon therefore acted as the representative of the Endowment in all the great divisions of its labors. Detailed accounts of the preparations made for his visit and of the very gratifying results accomplished by him are given under the appropriate headings in the accompanying reports of the Secretary and Directors of the Divisions.

Another example of effective work made possible by the organization of international visits under this Division was the nomination by the Endowment of Professor Frank J. Goodnow as American adviser to the Chinese Government,—a direct result of the trip of Dr. Charles W. Eliot to the Orient in 1912. The wisdom of the Committee's choice has very recently been strikingly illustrated by the selection of Professor Goodnow as president of Johns Hopkins University, which position he accepted only after the Executive Committee at its meeting on February 21, 1914, upon very careful consideration of all the circumstances, had adopted a resolution expressing its readiness to concur in such action as Professor Goodnow might take with the approval of the Chinese Government.

Of the other recommendations made by Dr. Eliot as the result of his visit, which were presented to the Board at its meeting on November 14, 1913, and referred to this Committee for action, some of them, which certain of the Trustees seem to regard as being beyond the scope of the Endowment's activities, might properly be referred to other philanthropic organizations. The balance are under consideration in the appropriate Divisions of the Endowment.

The recent action of Mr. Carnegie in setting aside a separate endowment for the work of international peace in the churches has made it unnecessary for your Committee to take any action on the proposals of the Church Peace League of America and the Associated Councils of Churches in the British and German Empires, referred to the Committee by the Board at its meeting on November 14, 1913.

As foreshadowed in the last annual report to the Board, the Committee at the beginning of the present fiscal year entrusted to the Advisory Council of the Division of Intercourse and Education in Europe the duty of allotting to the various national peace societies the sums set aside for that purpose by the Trustees. It is proposed to continue this policy, and in addition somewhat to enlarge it by leaving to the Advisory Council and its executive committee the duty of apportioning among the different other items of work the sums of money appropriated and allotted for the Division of Intercourse and Education in Europe. The estimates for next year for the Division of Intercourse and Education in Europe have therefore been divided into two parts, one for the maintenance of the European Bureau at Paris and one for work of propaganda.

In pursuance of this policy of utilizing the organization which has been established for the express purpose of assisting in the proper distribution and use of the Endowment's funds, the Committee has assumed the attitude that it is not the policy of the Endowment to take action upon applications for subventions for work of societies or individuals located in the Eastern Hemisphere, or for work to be done in the Eastern Hemisphere, until such matters have been considered and recommendations made thereon by the European Bureau, with the advice of the Advisory Council in Europe or of its executive committee, whose particular functions are to advise the Endowment as to matters and policies lying within the scope of the Division of Intercourse and Education in European countries.



The Board, at its meeting on April 18, 1913, adopted a resolution declaring that it is not the policy of the Endowment to substitute its action for the interest and activity of others in the cause of peace, and declared that whenever it appears that the allotment of money by the Endowment to any other organization constitutes an undue proportion of the income of such organization, it will be the policy of the Endowment to reduce gradually its allotment. In preparing its recommendations for appropriation for the ensuing fiscal year for the Division of Intercourse and Education, the Committee has been impressed with the fact that some of the organizations which receive large subventions seem to rely almost entirely upon the Endowment for their income and to regard it as their right not only to have the subventions continued permanently, but that they might reasonably expect to have them increased from time to time as occasion may require. It is clearly evident that, unless the Endowment discourages this view, it may not be many years before its entire income will be required to meet permanent annual charges, leaving nothing or an insufficient amount to meet current needs of an emergency nature, which, after all, may be the most important work for the Endowment to do. The Committee has thoroughly considered the situation and believes that a more definite attitude should be adopted than that outlined in the resolution of April 18th. The conclusion of the Committee, reached after such consideration, is contained in the following resolution, adopted at its meeting on February 21, 1914, which the Committee recommends be reaffirmed by the Board:

*Whereas*, The Board of Trustees at its meeting on April 18, 1913, declared that it is not the policy of the Endowment to substitute its action for the interest and activity of others in the cause of peace and resolved that, whenever it appears that the allotment of money by the Endowment to any other organization constitutes an undue proportion of the income of such organization, it will be the policy of the Endowment to reduce gradually its allotment, and

*Whereas*, The Executive Committee is of the opinion that the granting to organizations of money without regard to other sources of support tends to stop such other sources and that the inevitable result of having all other persons relieved from a sense of responsibility of taking any part in the support of such organizations is a decrease of interest and activity; therefore be it

*Resolved*, That the Committee, upon a review of the foregoing resolution of the Board of Trustees and of the situation which it was intended to meet, have been confirmed in their opinion that the Endowment should follow a policy of establishing a relation between subventions from the funds of the Endowment and the other sources of revenue of the various subventionaires, and are of the further opinion that for the year 1915-16 the relation should not exceed the ratio of three to one, that is to say, within the limits of the funds of the Endowment which are available for the purpose, the various subventionaires should receive from the funds of the Endowment not more than three dollars for each dollar raised from other sources during the previous year, and that after the year 1915-16 some similar principle of proportionate allotment should prevail as a policy of the Endowment.

Another subject which the Committee desires to bring to the attention of the Board relates to the use of appropriations made under one Division for work to be done under another Division. During the past few months the Committee has been confronted with a situation where the appropriation for emergencies and for the Division of Intercourse and Education have been entirely allotted and important work, which could not have been reasonably foreseen, still necessary to be undertaken in that Division. The Executive Committee, believing that this work should not be allowed to lapse on the ground of a lack of funds when there were large balances in the appropriations for the other two Divisions not likely to be required for allotment this year, decided to allot the funds necessary to carry out the mentioned projects from the unallotted balances of appropriations for the Division of Economics and History and the Division of International Law. Similar situations are likely to arise at any time and, in order that there may be no question as to the right of the Committee so to transfer funds from one appropriation to another, it is recommended that specific authority to do this be granted by the Board. A form of resolution to carry out this recommendation is included among the other resolutions submitted at the end of this report.

### **Division of Economics and History**

The Division of Economics and History engages itself exclusively in work of a scientific character relating to the investigation and study of the causes of war and of the practical methods to prevent and avoid it. The calling of the conference of economists at Berne in the summer of 1911 to map out the work of this Division, the program adopted by the conference and the subsequent constitution of the participants of the conference into a Committee of Research to supervise and conduct the inquiries recommended have been reported in the previous reports of this Committee and of the Director of the Division.

As will appear from the reports for 1912, the Director of the Division and the Committee of Research chiefly concerned themselves during that year with the selection of competent collaborators to carry on the work of investigation. This work of selection was advanced to a degree which has made it possible for the present year to be devoted to the actual work of investigation and the preparation of the results thereof in manuscript form. The status of the investigations both as to works completed and as to works under contract is shown in the tables appended to the Director's report. The contracts under which this work is done are made subject to the approval of the Executive Committee, and it will be seen by referring to the minutes of the Committee that a part of its time at each meeting is devoted to the consideration of them.

The work of investigation has not only made considerable progress in Europe and the United States, but also in the Orient, and the Committee calls the partic-

ular attention of the Board to the list of works in preparation in Japan enumerated in Appendix 3 to the Director's report. Studies in China, it will be noted, are also in progress.

The Committee regrets that it can not report equal progress upon the work of actual investigation in South America. A delay occurred in the beginning in the selection of a proper member of the Committee of Research to take charge of this particular field, and that question was finally solved by the selection of a distinguished American economist especially familiar in the Latin American field, as reported by the Committee last year. It is not practicable, however, to make definite arrangements for this kind of work except by a personal meeting with the men who are to do it. The visit of Mr. Bacon last fall offered an opportunity that the Executive Committee gladly availed of to lay the foundations for this personal intercourse between the Division of Economics and History and the economists of South America. He apprised these gentlemen of the contemplated visit of the member of the Committee of Research whose field embraces their countries, and they all expressed the deepest interest in the work and a willingness to coöperate in every way. The personal arrangements of this member of the committee have prevented him so far from embarking upon this important mission, but it is the earnest hope and expectation of the Director and of the Committee that the trip will be made at as early a date as is convenient and practicable. A similar trip to Central America is also planned by the Director.

In the report of the Committee for last year it was stated that a second conference of the members of the Committee of Research at Berne, which was originally planned to take place in 1913, had been postponed until further progress had been made in the work. After reviewing the work of the present year and ascertaining the views of the members of the Committee of Research, the Director is of the opinion that another conference is now needed. Sufficient progress in the work of the first conference is believed to have been made to justify this second conference, which will not only select additional subjects within the program outlined at the first conference, but formulate a supplemental program which it is believed will be advantageous and necessary to the proper prosecution of the inquiries of the Division. A sum has been approved by the Executive Committee and included in the requirements for appropriation for the ensuing fiscal year to cover the expense of such a conference.

The completion of the inquiries and the turning over to the Endowment of the manuscripts showing the results thereof now make it necessary to provide for the printing and in many cases the translation of these works in order that they may be within the reach of the interested public, which is the ultimate purpose had in view in initiating the inquiries. The expenses on this account are likely to be large for the next year or two, but these outlays may no doubt be regarded as one of the most effective uses of the Endowment's funds.

The other items proposed by the Committee for appropriation for this Divi-

sion are for the ordinary expenditures necessary for the conduct of its work. A recommendation that the balances of the sums allotted under contracts already concluded, which will revert to the treasury on June 30, 1914, be reappropriated to provide for the completion of these contracts has also been approved by the Committee.

### Division of International Law

The Division of International Law carries on work which is also primarily of a scientific nature. As explained in the previous report of the Executive Committee, its duties relate to the development of international law, the establishment of a better understanding of international rights and duties, and the adoption of peaceable methods in the settlement of international disputes. A great many projects have been started and are being carried to completion by the Director of the Division for the purpose of promoting those aims. The Director's report contains a full statement of these projects, and the progress which is being made upon each. The Executive Committee would, however, point out particularly the developments which have taken place during the preceding year in certain of the more important ones.

The report of the Director for last year (Year Book for 1912, pages 99-104) referred to the relation which has been established between the Institute of International Law and the Division, by the acceptance by the Institute of the position of General Adviser to the Division, and the creation of a Consultative Committee to act for the Institute in this respect. At the session of the Institute held at Oxford in the summer of 1913, a *règlement* was adopted prescribing the functions and procedure of the Consultative Committee in its intercourse with the Division of International Law. The text of this *règlement* is printed in the report of the Director. The final step necessary to cement the relationship between the Institute and the Endowment, through its Division of International Law, has, therefore, been taken, and the Institute, through its Consultative Committee, is now the duly constituted and authorized adviser of the Endowment in matters coming within the scope of the Division of International Law. Its Consultative Committee has already entered upon the performance of its duties, and has given valuable advice upon a number of projects, as will appear from the report of the Director.

The proposed Academy of International Law at The Hague was also the subject of detailed comment in the report of the Director for last year. At that time the Executive Committee approved the plan in principle, but did not feel that it could properly allot the money which was appropriated by the Board at its meeting on December 14, 1911, until it had been assured that the establishment of the Academy was regarded as desirable and useful by the publicists of the principal countries of the world, and that a proper student body could be obtained. During the present year both of these requirements have been met to the satis-

faction of the Committee, as will appear from the Director's report. It should be stated that the establishment of this Academy has received the approval, not only of the Consultative Committee of the Institute of International Law, but also the practically unanimous approval of the full membership of the Institute at its Oxford session. At a joint meeting of the Consultative Committee of the Institute and the committee in charge of the arrangements for the Academy, at which the Director of the Division was present, the details of the organization of the Academy were worked out, and it is expected to be opened in September of this year. The Committee has accordingly allotted the money previously appropriated by the Board. It is not expected that the full amount will be used by the 30th of June, 1914, on which date the unused balance will revert to the treasury. The Committee, therefore, recommends to the Board that this unused balance be reappropriated and that a further appropriation be made for the fiscal year ending June 30, 1915.

At the meeting of the Board on April 18, 1913, the opinion was expressed that it was desirable to call to the attention of the Secretary of State the advisability of taking the necessary preliminary steps for bringing about a Third Hague Conference in accordance with the recommendations of the Second Conference. At an opportune time the President of the Board mentioned the subject in a written communication to the Secretary of State, a copy of which is appended to the Director's report, and in the early part of the present year the Secretary of State addressed a circular letter of instructions to the diplomatic officers of the United States accredited to the governments which took part in the Second International Peace Conference at The Hague, calling their attention to the provisions of the Final Act of the Second Conference concerning a Third Conference, and suggesting that to the Administrative Council of the Permanent Court of Arbitration at The Hague, which is composed of the diplomatic representatives accredited to The Hague and the Netherland Minister of Foreign Affairs, be delegated the duties of the international preparatory committee referred to in the recommendation of the Second Conference. This instruction is a first but very important step looking toward the holding of the Third Conference, and the Endowment is to be congratulated that its efforts to keep this matter before the responsible authorities, however insignificant the influence of these efforts may have been in bringing about the action, may at least be regarded as a contributing cause. In the meantime, the Committee has instructed the Director of the Division of International Law to prepare a full report upon the subject of the Third Hague Conference, so that the Trustees and the Committee may have information ready at hand for use in case any further action upon their part may seem advisable.

The Board at its meeting on November 14, 1913, referred to the Executive Committee, with power, the report and recommendations of the Director of the Division of International Law on the subject of education in the field of arbitration and international law and history as connected with arbitration, made in

response to the resolution of the Board of December 14, 1911. The scope of these recommendations is summarized in the report of the Director printed in the Year Book for 1912 at pages 128-130. The Committee has approved the recommendation for a conference of the professors of international law in the leading educational institutions of the United States to be held in connection with the next annual meeting of the American Society of International Law, and the Society has consented to place the subject upon the program of that meeting. Arrangements are now being made to secure the attendance of the professors of international law, and the Committee has allotted the sum appropriated by the Board to defray the cost of the conference. The conference will not be held until after the meeting of the Board, and a report on the results thereof will therefore necessarily be deferred until the next report of the Director of the Division and of this Committee.

At the same meeting a resolution was adopted by the Board directing that the report of the Division of International Law upon the Neutrality Laws of the United States, prepared under the resolution of the Trustees of December 14, 1911, be published and sent to such persons and authorities as may seem proper and desirable, for their suggestions and criticisms. The Committee has allotted the necessary funds and the Division of International Law is now engaged in carrying out the direction. The results obtained will probably be the subject of later action of the Committee and of report to the Board. A summary of the report is also contained in the report of the Director printed in the Year Book for 1912, pages 130-131.

A number of projects, some in continuation of last year's work, and others new, the details of which are given in the Director's report, coming within the following recommendations of the Consultative Committee, have been approved by the Executive Committee and appropriations recommended for carrying them out:

To compile and publish a collection of the provisions of the treaties of all countries of the world containing international agreement upon matters which, if universally assented to, would constitute international law;

The collection and publication in a uniform series, and in several languages, of the judicial decisions of national courts interpreting and applying the principles of international law;

The exchange of professors of international law and diplomacy between various countries;

The translation, reprinting and dissemination, at a nominal price, of the best works on international law, and especially of works written in languages which reach but a limited circle of readers;

To give encouragement and assistance to magazines and periodicals to devote themselves to the development of international law and to the cause of international justice;

Encouragement of the publication of works or of collections relating to international law which, notwithstanding their evident scientific interest, are not, by reason of their limited commercial market, of interest to publishers.

### **Resolutions Recommended to the Board of Trustees for Adoption**

To carry out the recommendations which have been approved by the Executive Committee, the following resolutions relating to the budget for the ensuing fiscal year, are submitted for adoption by the Board:

*Resolved*, That the sum of forty-three thousand, eight hundred and ninety-five dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the purposes of administration, and charged to the current income for that year.

*Resolved*, That the sum of twelve thousand and twenty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the purposes of the library and publication of the Year Book.

*Resolved*, That the sum of two hundred and twenty-one thousand, five hundred dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of Intercourse and Education, and charged to the current income for that year.

*Resolved*, That the sum of one hundred and thirty-four thousand dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of Economics and History, and charged to the current income for that year.

*Resolved*, That the sum of seventeen thousand, six hundred dollars be, and it is hereby, reappropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, to complete contracts of the Division of Economics and History the allotments for which will revert to the treasury on June 30, 1914.

*Resolved*, That the sum of one hundred and twelve thousand, five hundred and sixty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of International Law, and charged to the current income for that year.

*Resolved*, That the sum of twenty thousand dollars be, and it is hereby, reappropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, to provide for the balance

of the allotment for the Academy of International Law, established under the auspices of the Division of International Law, which will revert to the treasury on June 30, 1914.

*Resolved*, That to meet unforeseen emergencies as they arise during the fiscal year ending June 30, 1915, the sum of fifty thousand dollars be, and it is hereby, appropriated as a separate fund from the unappropriated balance of the income of the Endowment to be specially allotted by the Executive Committee in its discretion.

To carry out the other recommendations of the Executive Committee, the following resolutions are submitted for adoption by the Board:

*Resolved*, That in case the respective sums appropriated from time to time by the Board can not be usefully expended for some, and additional sums are required for other, of the purposes specified in the appropriations, the Executive Committee is hereby authorized to transfer balances from one to another of said purposes.

*Resolved*, That the Board hereby approves the policy recommended by the Executive Committee at its meeting on February 21, 1914, of establishing a relation between subventions from the funds of the Endowment and the other sources of revenue of the various subventionaires.

*Resolved further*, That for the year 1915-16 the relation referred to shall not exceed the ratio of three to one, that is to say, that within the limits of the funds of the Endowment which are available for the purpose, the various subventionaires shall receive from the funds of the Endowment not more than three dollars for each dollar raised from other sources during the previous year, and that after the year 1915-16 some similar principle of proportionate allotment shall prevail as a policy of the Endowment.

Respectfully submitted,

ELIHU ROOT, *Chairman*  
JAMES BROWN SCOTT, *Secretary*  
NICHOLAS MURRAY BUTLER  
AUSTEN G. FOX  
ANDREW J. MONTAGUE  
HENRY S. PRITCHETT  
CHARLEMAGNE TOWER

WASHINGTON, D. C., March 17, 1914.





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**REPORT OF THE SECRETARY TO THE BOARD OF  
TRUSTEES**

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## **REPORT OF THE SECRETARY TO THE BOARD OF TRUSTEES**

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### **TO THE BOARD OF TRUSTEES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:**

The last annual report of the Secretary, made to the Trustees in compliance with Article 5, Section 2, of the By-Laws, was dated November 12, 1912, for presentation to the annual meeting held on December 12, 1912. At that meeting the By-Laws were amended so as to change the date of the annual meeting to the third Friday of April, and the consideration of the report of the Secretary of November 12, 1912, together with the reports of other officers of that date, was postponed until the meeting of the Board on April 18, 1913.

For the convenience of the Trustees, the Secretary submitted at that meeting an informal and supplemental report, covering the period from November 12, 1912, to April 18, 1913. The statements concerning some of the subjects in that report were necessarily incomplete, because of the unfinished state of the work on the date of its submission; and, for the sake of brevity, clearness, continuity of statement and ready reference, the present formal report will start with the date of the last annual report, namely, November 12, 1912, include in summary and complete form the matter contained in the supplemental report of April 18th last, and bring the report of the operations and business of the Association up to the date of the submission of the present report.

The duties of the Secretary, as prescribed in the By-Laws, are two-fold: First, he acts as Secretary of the Board of Trustees and of the Executive Committee; and, secondly, he is the chief administrative officer of the Association.

### **Secretarial Duties**

Since the submission of the last report, the Secretary has been called upon to arrange for three meetings of the Board of Trustees, those held on December 12, 1912, April 18, 1913, and November 14, 1913, and ten meetings of the Executive Committee, held on January 11, February 7, March 28, April 18, May 24, June 28, October 20, November 14, December 20, 1913, and February 21, 1914. These meetings are the most important part of the Endowment's work and the preparations for them require the highest degree of care. The large amount of business laid before them necessitates a vast amount of labor preliminary to the meetings so that they may be conducted with due order and dispatch. It also devolves upon the Secretary's office to prepare the minutes of each of these meetings and have them printed and distributed to the Trustees. The minutes are, of course, the most vital records of the Endowment, and the very highest

degree of care must be employed in their preparation. Some idea of the amount of labor involved in this part of the Secretary's work may be had by calling attention to the fact that the minutes for the current year require over 180 printed pages to record in the most concise form the business transacted.

### **General Administrative Work**

The administrative work of the Secretary's office has been generally described in the two previous reports submitted by this office. The work has grown to much larger proportions during the past year, a growth naturally to be expected as the result of the enlarged activities of the three Divisions. Each new project undertaken in the Divisions adds to the amount of correspondence to be conducted and filed, the number of records to be kept, the details and complexity of accounts to be opened, the number of documents to be translated, and the number and volume of printed pamphlets and other publications to be put through the press. The monthly reports of the Treasurer are prepared in this office for his signature, and printed and distributed to the Trustees. The drafting of the legal instruments required in many cases to define the relationship between the Endowment and its many workers in all parts of the world is also an important part of the work of this office. It should also be borne in mind that the three Divisions are engaged in special activities limited by the nature of the work which has been assigned respectively to each of them. The large residue of work not falling within the particular sphere of any of the Divisions, or of such a general character as to pertain to the Endowment generally, must naturally and appropriately be done at the headquarters.

### **Editing and Printing**

The standardization of publications and economy in cost of printing require that the different publications of an administrative character issued by the Endowment be edited and printed under a central direction. This central supervision is performed by the Secretary's office. It involves a careful editing of manuscripts before they are sent to the printer, the making of English translations when the copy happens to be in a foreign language, which is very frequently the case, proof-reading, and all the other long and tedious details connected with seeing a publication through the press.

During the present year the Secretary's office has edited, carried through the press, and distributed an edition of 10,000 copies of the Year Book for 1912, in accordance with the directions of the Executive Committee. The series of publications known as the Confidential Information Series, authorized by the Executive Committee May 25, 1912, the purpose of which was explained in detail in the Year Book for 1912, page 32, has been continued by the issuance of five additional numbers, three for the Division of Intercourse and Education and two for the Division of International Law. Each of the numbers of this series makes

a book of quite large proportions, the five numbers totaling approximately 800 pages. While a large part of the contents of these prints is confidential in its nature, attention is called to the fact that they contain many interesting and important letters and documents whose contents are such that they might well be made public in some other form and serve a useful purpose in the general propaganda work of the Endowment.

An edition of 30,000 copies of the report of Dr. Charles W. Eliot, entitled *Some Roads Towards Peace*, containing his observations made in China and Japan in 1912, has been printed and distributed by this office.

The Secretary's office has also edited and prepared for the printer two other pamphlets of the Division of Intercourse and Education: the report of Dr. Hamilton Wright Mabie, containing his observations in Japan during his sojourn in that country in 1912-13, in connection with the educational exchange with that country; and the report of Professor Dr. Wilhelm Paszkowski, of Berlin, the authorized correspondent of the Division, on *German International Progress in 1913*. Of each of these reports an edition of 5,000 copies was printed.

Still another publication of the Division of Intercourse and Education is being handled by the Secretary's office: the report of the Balkan Commission sent by the Division into the Balkan States, in the summer of 1913, after the second Balkan War, to investigate the incredible accounts of the cruelties attending this war between the former allies and to report as to the truth of these accounts and definitely to fix the responsibility.

The pamphlet containing the instructions to Mr. Robert Bacon regarding his visit to South America, referred to in more detail under another heading in this report, was prepared in this office and printed under its direction. There were also printed and distributed editions of 20,000 copies each of Mr. Carnegie's pamphlet entitled *The Latest Panacea*, and his address entitled *The Palace of Peace*, delivered at The Hague, August 29, 1913, on the occasion of the presentation of the bust of Sir Randal Cremer to the Palace of Peace.

The Hand Book of the American Group of the Interparliamentary Union, prepared and printed in this office, is referred to elsewhere.

The above documents contain about 2,000 pages of printed matter and it can readily be seen that their editing and printing has consumed a very large part of the time of the Secretary's official and clerical force.

The Secretary's office also distributed, by direction of the Executive Committee, 2,200 copies of Dr. Butler's book entitled *The International Mind*, being a collection of his addresses made as the presiding officer of the Lake Mohonk Conferences on International Arbitration.

### Mailing List

The Secretary was directed by the Executive Committee on March 28, 1913, to prepare and present a detailed plan and estimate of cost of having prepared

an elaborate mailing list for the use of the Endowment as a part of the headquarters equipment. It is the intention to use this list as the principal facility of the Endowment for reaching the people of the country upon matters which it is desired to bring to their attention. The plan and estimate were submitted to the Executive Committee on June 28, 1913, and an allotment from the appropriation for administration was made to put the plan into effect during the current year. The plan consists of sending out letters to carefully selected lists of persons, calling their attention to the work and purposes of the Endowment, and inviting them to have their names entered upon the mailing list for the distribution of literature. Upon receipt of a favorable response, the name is entered on the list. Classification of the names according to occupations subdivides the general list into special lists for the distribution of particular kinds of literature for special purposes. Keeping the list up to date and adding to it from time to time requires the time of two clerks, and a small annual expenditure for postage. The details of expense are given in the accompanying estimates.

#### Distribution of Publications Printed at the Headquarters

The distribution of publications printed at the headquarters has already assumed considerable proportions and is likely hereafter to be a permanent part of the work of the office. The operation of distribution involves the addressing of labels, the insertion of slips, wrapping of the publications, and stamping and mailing them. In addition, it is necessary that records be kept showing to whom publications have been sent and checking up those that are returned on account of change of address or other cause. Some of these operations, such as addressing labels and wrapping the publications, could be done by contract, but this would involve sending out of the control of the office the mailing lists, carefully prepared and kept at considerable expense, and of turning over to outside people large numbers of expensive publications. Some of the distributing lists used from time to time are in various foreign languages and the clerks handling them must have some knowledge of these languages in order to do the work intelligently. The business of addressing and wrapping is carried on in the commercial world by very cheap labor, from which entirely satisfactory results can not be reasonably expected. It would not be possible, if the work were so performed, to keep dependable records of the distribution of publications, for this requires that the clerks who send out the publications and receive those returned be under direct supervision. Accordingly, two clerks have been employed at very moderate salaries upon the different branches of the work involved in this distribution. In case the work of distribution should at any time become slack, the qualifications of the clerks are such that they can be profitably utilized in other lines of work. An amount has been included in the estimates to continue their salaries for the ensuing year.

### **Contract With the Clarendon Press**

In the last annual report of the Secretary, attention was called to the importance of printing and properly distributing the scientific publications of the Endowment, and it was reported that negotiations had been undertaken to secure a competent and responsible publisher who could not only print the publications but distribute and place them upon the market in all parts of the world. The contents of these publications will not be of so popular a character as to interest the general public and make it profitable to distribute them as ordinary peace literature. They are calculated more to interest educational, scientific, professional and official persons, and it was necessary to find facilities for reaching these circles of readers. The negotiations resulted in the conclusion on June 16, 1913, of an agreement between the Endowment and the Clarendon Press of the University of Oxford, England.

The Clarendon Press is recognized throughout the world as one of the leading publishers of standard books of an educational and scientific character. Their connections in other countries will enable them to handle with as much facility as the English publications the works of the Endowment published in foreign languages, and their branches in Edinburgh, Glasgow, New York, Toronto, Melbourne and Bombay, and business connections in various other countries, will give an international market for the sale of the Endowment's publications which is much to be desired and essential to the success of its work. The listing of the publications in the catalogues of the Press will bring them to the attention of book-sellers and readers of good literature everywhere.

The arrangement is a happy solution of the problem of printing and distributing the scientific publications of the Endowment so as to make them a part of the literature of the subjects with which they deal. The arrangement does not preclude the distribution by the Endowment of any of its publications in such quarters as it may decide to send them, for it will be necessary, no doubt, to supply at the Endowment's expense, and as a matter of course, a limited number of these publications to certain quarters where it is essential that they be read.

### **Distribution of Literature Concerning the Exemption of American Coastwise Vessels from Tolls on the Panama Canal**

#### **STATEMENT OF MEMBERS OF THE BOARD OF TRUSTEES**

The Board of Trustees at its meeting on December 12, 1912, appointed a committee of five to prepare a brief statement concerning the discussion between the parties to the Hay-Pauncefote Treaty, to be signed individually by members of the Board and published. The committee prepared a statement and submitted it to each member of the Board for his signature. The statement, bearing the signatures of twenty-two Trustees, was given to the public under date of March 15, 1913. The text, with the signatures annexed, is printed in the report of the



Acting Director of the Division of Intercourse and Education.<sup>1</sup> It was the opinion of the Executive Committee that the statement should receive the widest possible notice. Arrangements were made by the Secretary's office with the various press associations to have it appear simultaneously in the daily newspapers all over the United States. A copy was sent to each Senator and Representative in Congress at his home address, and the Secretary arranged for the printing and distribution of approximately 1,210,000 copies, which were sent to selected lists of individuals and organizations throughout the United States. The tenor of a great many of the letters received by the Secretary in response to this statement indicates that it created a widespread opinion in favor of the position assumed by the Trustees who signed it, and it is believed that its distribution has contributed something toward accomplishing the result desired by them.

#### MR. ROOT'S SPEECH

It is not necessary for the Secretary to call attention to the forcible and convincing speech delivered in the United States Senate on January 21, 1913, by Senator Root, on the subject of the exemption of American coastwise vessels from the payment of tolls on the Panama Canal. This speech was such a clear statement of the discussion between the parties to the Hay-Pauncefote Treaty, such a strong appeal to Congress for the maintenance of our treaty obligations, and so much in accord with the position assumed by some of the members of the Board of Trustees in the statement which they issued on the same question, that the Executive Committee directed the Secretary to provide also for a widespread distribution of the speech. The Secretary arranged for the printing and distribution of approximately 700,000 copies of Senator Root's speech, which were also sent to selected lists of persons and organizations throughout the United States.

The total cost of the foregoing propaganda on the Panama toll question, including the cost of printing, postage and mailing, was \$23,546.38.

#### Mr. Bacon's Visit to Latin America

When the Executive Committee decided definitely that Mr. Robert Bacon should proceed upon his recent visit to South America, as part of the general plan of the Endowment for international visits of representative men, it was found that the arrangements for the visit could more readily be made at Washington than at New York, and the duty of making the necessary arrangements was assigned to the Secretary's office instead of to the Division of Intercourse and Education, under the work of which the visit properly falls. The Secretary, accordingly, proceeded forthwith, after the meeting of the Executive Committee of June 28, 1913, at which final action upon the plan was taken, to make arrangements for the transportation of Mr. Bacon and his party, for his reception and entertainment in the different places which he was to visit, and to supply Mr.

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<sup>1</sup>Printed herein, page 79.

Bacon with the necessary information as to what the Endowment would like him to say and do in South America. The preparation of the itinerary by steamship and railroad was beset with difficulties, because of the lack of accessible information as to transportation facilities in South America. An itinerary was eventually prepared, and was carried out by Mr. Bacon, with the exception of two capitals, which he found it impracticable to visit in the time at his disposal. Full information concerning the visit of Mr. Bacon and its purpose was communicated to the diplomatic representatives of the United States at the different South American capitals and to the diplomatic representatives at Washington of the countries included in the visit. These officials were asked to aid in making Mr. Bacon's visit a success and especially to assist him to meet the officials of governments, the scientific and professional men, and those persons in particular who believe in the settlement of international disputes by reason rather than by force. Another series of letters was written to distinguished Latin Americans asking their coöperation in arranging for Mr. Bacon's reception and visit. A hearty response was received to all of these letters, and, as the result, Mr. Bacon received everywhere most cordial coöperation and helpful assistance. It seems not improper that the Secretary should here express, on behalf of the Endowment, its deep sense of gratitude for and thorough appreciation of the efforts of these gentlemen in behalf of Mr. Bacon and of the mission which he did the Endowment the honor to accept.

There were also prepared in the Secretary's office a number of monographs, with documents appended, describing the Endowment and its various activities in the three Divisions. These monographs accompanied and were intended to elaborate the points briefly mentioned in the formal instructions to Mr. Bacon, prepared by the President of the Board, which are printed below. There were also prepared a number of memoranda dealing briefly with certain subjects of especial interest in South America. All of this material was collected and printed in a pamphlet of 180 pages, for the convenient use of Mr. Bacon. The pamphlet has been distributed to the Trustees of the Endowment for their confidential information. The gratifying results of the mission are treated in full in the report of the Acting Director of the Division of Intercourse and Education.

INSTRUCTIONS OF THE PRESIDENT OF THE BOARD TO MR. ROBERT BACON

WASHINGTON, D. C., *July 20, 1913.*

SIR:

I beg to confirm your appointment, by formal action of the Carnegie Endowment for International Peace, as the representative of the Endowment to visit South America at such time as you shall determine upon during the present year. The object of this mission, which you have already gratified us by promising to undertake, is to secure the interest and sympathy of the leaders of opinion in South America in the various enterprises for the advancement of international peace which the Endowment is seeking to promote, and by means of personal intercourse and explanation to bring about practical coöperation in that work in South America. You are already aware, and will readily make plain to our friends in South America, that Mr. Carnegie has placed in the hands of trustees the sum of ten million dollars, the income of which

is to be devoted by them to the promotion of international peace. The trustees, upon consideration of the way in which they should seek the end for which the trust was established, formulated the following statement of specific objects to which the income of the trust should be devoted.

- (a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.
- (b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.
- (c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.
- (d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.
- (e) To cultivate friendly feelings between the inhabitants of different countries and to increase the knowledge and understanding of each other by the several nations.
- (f) To promote a general acceptance of peaceable methods in the settlement of international disputes.
- (g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

To accomplish these objects the work of the trust has been organized in three divisions: (1) The Division of Intercourse and Education, of which Dr. Nicholas Murray Butler, President of Columbia University, is Acting Director; (2) The Division of Economics and History, of which Dr. John Bates Clark is Director; (3) the Division of International Law, of which the Secretary of the Endowment, Dr. James Brown Scott, is Director. The various objects above enumerated have been appropriately assigned to these three Divisions. The methods and details of activity on the part of each of the Divisions you will find indicated in a series of monographs, which will be handed to you herewith.<sup>1</sup> From these you will perceive two things: first, that it is the purpose of the trustees not that the trust organization shall become itself a missionary seeking to preach the gospel of peace or directly to express its own ideas to the world, but rather to promote and advance in each country and in all countries the organization and activity of national forces in favor of peace. It is not so much to add a new peace organization to those already existing in the world as it is to be a means of giving renewed vigor to all the activities which really tend in a practical way towards preventing war and making peace more secure. Second, that in aid of the work of each of these three Divisions an extensive and effective organization has been perfected in Europe as well as in America, including a great number of the most eminent and highly respected statesmen, publicists, and leaders of modern thought.

The respect and friendship which the trustees of the Endowment entertain for the peoples of Latin America and for the many distinguished Latin Americans with whom many of the Trustees have most agreeable relations of personal friendship lead us to desire that the work of the Endowment may have the same active and useful coöperation in South America that it has already secured in Europe. For this purpose we should be glad to have you make to the gentlemen whom you meet in the South American capitals, a full and thorough explanation of the history and purposes and methods of the Endowment.

You will observe that one of the means by which the Division of Intercourse and Education proposes to advance international good understanding is a series of international visits of representative men. Accordingly, under the auspices of the Division, directly or indirectly, Baron d'Estournelles de Constant of France, the Baroness von Suttner of Austria, and Professor Nitobe of Japan have already visited the United States, and President Eliot of Harvard University has visited India, China, and Japan, and Dr. Hamilton Wright Mabie is now in Japan. Your visit to South America comes in this category, but it has a more definite and specific purpose than any of the other visits which I have enumerated or which are contemplated under the head that I have mentioned, for it is not merely to strengthen good understanding by personal intercourse between a representative North American and representative South Americans, but it is also to introduce to representative South Americans personally the work

<sup>1</sup>Omitted from this publication.

and purposes and ideals of the Endowment, and to invite our friends in South America to cordial and sympathetic union with us in promoting the great work of the trust.

It is not expedient or desirable in advance of your visit to be too specific regarding the scope and method of coöperation which may be possible with our South American friends, but you will readily observe in the monographs handed to you a number of ways in which such coöperation may be accomplished with but little delay. For example: (a) the formation of national societies of international law to be affiliated with the American Institute of International Law; (b) the presentation to the different governments of the opportunity to participate in the proposed Academy of International Law at The Hague by providing for the sending on the part of each government of a representative student to that academy, if organized. You will notice that the organization of such an academy to bring together students from the whole world under the leaders of thought in international law each summer depends very largely upon the question whether the governments of the world feel the need of such an institution sufficiently to give it their formal support by sending a representative student. (c) The appointment of national committees for the consideration of contributions to the program of the next Hague Conference and making arrangements for the intercommunication of such committees among all the American countries. (d) The establishment of national societies for international conciliation to be affiliated with the parent Association for International Conciliation at Paris. (e) To arrange for systematic furnishing of data for the work of the Division of Economics and History in accordance with the program laid down at Berne by the congress of economists in the summer of 1911. You will observe that Dr. Kinley, who was appointed a member of the Committee of Research with special reference to South America, will follow you in a visit to South America within a short period and will suggest specifically the things that can be done in aid of the researches of this Division. Your office in this respect should be to prepare the way for Dr. Kinley's reception and coöperation with him.

The trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of years, and the utmost that any one generation can hope to do is to promote the gradual change of standards of conduct. All estimates of such a work and its results must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall move, however slowly, in the direction of civilization and humanity and away from senseless brutality. It is to participate with us in this noble, though inconspicuous work, that we ask you to invite our friends in South America with the most unreserved and sincere assurance of our high consideration and warm regard.

(Signed) ELIHU ROOT.

### Entertainment of Distinguished Visitors

It has been a part of the duty of the Secretary's office to extend entertainment to distinguished foreigners coming to Washington. This duty has been discharged in coöperation with the Division of Intercourse and Education, to which the fund for entertainment is allotted. Washington is a natural center to which most distinguished foreigners coming to the United States are apt to turn, and such of them as have intimate relations with the Carnegie Endowment naturally expect to receive attention here.

On December 6, 1912, a dinner was tendered to the Baroness von Suttner, at which there was present a distinguished company of 175 ladies and gentlemen, many of them prominent in official circles and in the peace movement.

On May 12, 1913, the British committee for the joint celebration of one hundred years of Anglo-American peace, with Lord Weardale as its chairman,

visited Washington, and its members were the guests of the Endowment during their stay here, which terminated in a dinner of 250 covers at the New Willard Hotel.

On October 9, 1913, Messrs. Horikiri and Seki, members of the Japanese Parliament and delegates to the Eighteenth Conference of the Interparliamentary Union at The Hague, passed through Washington on their return to Japan, and were entertained at a small dinner, in which many members of the American Group of the Interparliamentary Union participated. These gentlemen joined with the American delegates at the Hague Conference in the organization of the Japanese-American Section of the Interparliamentary Union.

Later, the president of this new and promising organization, Hon. Ichitaro Shimizu, also came to Washington, and was entertained in like manner. On both occasions the Japanese Ambassador reciprocated the hospitality extended to his countrymen, and both were memorable as establishing a new link in the friendly relations between the two nations.

On February 18, 1914, Mr. Norman Angell visited the national capital in the course of his American tour, and was entertained at a luncheon at the Shoreham Hotel, and in the evening addressed a large audience of ladies and gentlemen at the same hotel in his characteristic and effective manner.

On February 21, 1914, a dinner was arranged in honor of Professor Shosuke Sato, Dean of the Agricultural College of the Northeastern Imperial University of Japan, and Exchange Professor of Japan, who was passing through Washington on his way from North Carolina to Pennsylvania. Dr. Nicholas Murray Butler, Acting Director of the Division of Intercourse and Education, presided at the dinner, and the guests consisted chiefly of representatives of the teaching corps of the Washington universities and colleges and of Johns Hopkins University.

#### **American Group of the Interparliamentary Union**

A considerable portion of the time of the Assistant Secretary has been occupied with his duties as Executive Secretary of the American Group of the Interparliamentary Union, to which post he was assigned by the Executive Committee on May 25, 1912. At the annual meeting of the Group, held June 25, 1913, this designation was unanimously approved. The Executive Secretary has since devoted himself, first, to a canvass of the membership of the Sixty-third Congress, with a view of increasing the membership of the American Group. As a result, 36 Senators and 238 Members of the House of Representatives are now enrolled,—the largest membership since the Group was founded, in 1895, and representing more than one-third of the Senate and more than half of the House. Second, to the preparation and publication of *A Hand Book of the American Group*, which contains, in compact form, a history of the Interparliamentary Union; the constitution and by-laws; the permanent organization at Brussels; the officers of the several national Groups, now 28 in number, with a

total membership of 3,500; and the proceedings and draft conventions of its annual conferences at Geneva and The Hague, in 1912 and 1913. This Hand Book has supplied the American Group, for the first time, with a compact and convenient epitome of the whole organization and propaganda of the Interparliamentary Union,—now generally recognized as one of the most effective and powerful of the existing agencies for the extension and promotion of the principle of international arbitration. Only four other national Groups have similar Hand Books, that of Great Britain having been first published in 1908. It is proposed to continue this Hand Book in alternate years, and to add additional features. Third, to the distribution to the members of the proceedings, resolutions and documents of the Interparliamentary Union, sent forward for that purpose by the Central Office at Brussels. Fourth, to the arrangement of the social functions of the American Group, notably during last fall the entertainment of Hon. Zembei Horikiri and Hon. Wachi Seki, members of the Japanese Parliament, on their return from the Hague Conference of the Interparliamentary Union, and later of Hon. Ichitaro Shimizu, President of the Japanese-American Section of the Interparliamentary Union, which was organized at that Conference, and which promises to become an efficient agency in the promotion of the friendly relations existing between the two countries. Fifth, to a regular correspondence with Doctor Lange, the Secretary General of the Interparliamentary Union, by which he is kept informed of American matters of interest to the Central Office and the Interparliamentary Council, and to the forwarding of all official documents of the United States Government required for the library and files at Brussels. Finally, the Executive Secretary is endeavoring, with the coöperation of Secretary General Lange, to assemble the complete records and archives of the Interparliamentary Union, from its foundation in 1886, to be preserved in the permanent office of the American Group at No. 2 Jackson Place, Washington, D. C. The allotment of \$1,000, made by the Executive Committee, has proved ample to meet all the expenditures of these activities. Half of that amount should be included in the estimates of next year of the Division of Intercourse and Education under which the work properly falls.

### **The Celebration of the Hundred Years of Peace**

The celebration of the Centenary of One Hundred Years of Peace between English-Speaking Peoples, dating from the signing of the Treaty of Ghent on December 24, 1814, has naturally appealed to the Executive Committee of the Endowment, which has felt it right and proper to encourage and support a movement which has taken on continent-wide proportions. Very early in the inception of plans for the celebration it was recognized that the national capital is the point at which the commemoration of the anniversary will possess the greatest significance; and accordingly the Board of Commissioners of the District of Columbia appointed a local committee of one hundred prominent citizens of Washington

to study and prepare plans for the celebration in this city. The Secretary of the Endowment was appointed chairman of this Washington committee, and the Assistant Secretary was made the Assistant Secretary of the committee. An executive committee was appointed which has met at intervals in the board room of the Endowment, and has nearly perfected its plans for the celebration. All of the clerical work growing out of these preparations, which has been large and is now rapidly increasing in volume, has been carried forward in the Secretary's office. During the past year, after a series of conferences between the officers of the American or National Committee on the Centenary celebration, with headquarters in New York, and the officers of the Washington Committee, a complete and satisfactory plan for coöperation and united effort between the two committees has been arranged. It is the desire of the American Committee to coördinate the dates of a nation-wide series of interrelated celebrations; and it proposed that the inaugural celebration shall take place at the national capital, to be followed by one at Ottawa, the capital of Canada, and others in a chain of American cities, on consecutive dates. It has been agreed that the Washington celebration shall center around the date April 28, 1915, the anniversary of the Rush-Bagot exchange of notes which led to disarmament on the Great Lakes—an event even more significant in the promotion of international peace than the signing of the Treaty of Ghent. The hearty coöperation of all branches of the national administration in the Washington celebration is greatly desired and confidently expected.

The American Committee recognizes the fact that at the seat of the government and the home of the entire diplomatic corps must necessarily occur the most important, significant, impressive and picturesque of all the celebrations to be held in the United States, and will render all possible assistance to this end.

#### **Selected Bibliographical Lists on International Affairs**

The question of the collection and distribution of bibliographical information regarding international affairs has heretofore been brought to the attention and has received the consideration of the Executive Committee. In a letter from the Secretary of the American Association for International Conciliation written in October, 1912, he states, after showing the great demand for such information and the usefulness to which it is put, that "so far as our experience is an indication, there is no more important line of work for the Endowment and none where the present resources are less adequate than in this field of bibliographical record and distribution," but he then intimated that the resources and facilities of his organization were not quite sufficient adequately to do the work. A recent announcement contains the statement that the Conciliation will be unable to continue the publication of the bibliography because of the expense involved and the lack of the technical training which is required in its compilation.

The Secretary entirely concurs in the views above expressed by the Secretary

of the Conciliation concerning the great usefulness and necessity for a bibliography of the international peace movement, using that term in the sense in which it is understood and applied by the Endowment, namely, with reference to propaganda, the economics and history of war, and international law, and he believes that the cessation of the publication is most unfortunate. He has, on a previous occasion, suggested to the Executive Committee that the work be done in his office, and in the present emergency he takes occasion to renew that recommendation, which he believes can be supported by considerations of economy and efficiency in the prosecution of the work.

The word "bibliography" does not properly describe the plan now recommended. The Librarian of Congress is of the opinion that selected lists of different groups of publications are more useful and desirable than attempted complete bibliographies on any subject; and selected lists of this character are now used by the Library of Congress, and by most of the great libraries of the country. These selected lists exclude reference to publications which are not of permanent and standard value. They are accompanied by brief notes, not critical in character, but outlining the nature of the contents of each publication cited, and indicating the point of view of the author. They are much used by librarians, by students, by investigators, and have come to be regarded as an indispensable tool of the modern librarian and student. No such selected list of important official and private publications on international affairs is compiled by the Library of Congress, or in any other quarter, and the growing need for it is now generally conceded by experts.

The librarian of the Endowment is a trained bibliographer, who has had years of experience in the library of the Department of State, an essentially international library. Her knowledge of international literature is very often availed of by the official libraries connected with the Government at Washington, and the collection of peace literature now in the library of the Endowment is believed to be the most complete in the United States. Nor is it lacking in literature on the subjects which the Endowment considers as allied to the peace movement. Among the regular publications received are: periodicals, foreign and domestic, published in the interest of the peace propaganda; the official proceedings of peace and arbitration societies and other similar organizations; journals of international law; official gazettes of the leading nations; the leading economic and sociological reviews of foreign countries; a carefully classified selection of clippings from the leading newspapers and periodicals of the United States, Great Britain, France and Germany. In addition, the librarian has access to the books, periodicals and pamphlets at the Congressional Library and in the more specialized libraries of the different Government departments. Upon consideration of the above facts, it is no exaggeration to state that the Endowment's library is now in a position to compile these selected lists as a part of its regular work more efficiently and economically than any other office in this country.



The method of doing the work would be simple and inexpensive. The Secretary would recommend that the selected list be printed quarterly and distributed to such libraries, schools, colleges, clubs, editorial and other offices as may desire the same. The selected list issued in the last quarter of each year could be made cumulative of the whole year, and thus make the series handy for reference purposes. The expenses of printing and postage would be a small matter and could, for the first year at least, be defrayed out of the regular funds of this office. The compilation would be made by the bibliographer of the Endowment, assisted by a typist with knowledge of French and German, who could be secured at a small annual salary. An item for this purpose has been included in the estimates for next year, and if it is approved the work will be started from the beginning of the year 1914.

In this connection, a further suggestion is considered deserving of mention. The chronicle of international events recommended in 1911, and since regularly kept in the library, contains information equally valuable, which ought to be printed and distributed for the benefit of the interested public. If the recommendation above made concerning the selected list is approved, the chronicle of international events could be published and distributed either as a part of or to accompany the bibliography.

#### **Purchase of the Headquarters Buildings**

When the time arrived in June, 1913, for the renewal of the lease on the headquarters building at No. 2 Jackson Place, Washington, D. C., the owners were not disposed to renew on the old terms but expressed a desire either to sell the property to the Endowment or to some other purchaser, or to remodel and lease it at a greatly increased rental. The situation was reported to the Executive Committee by the Secretary at its meeting on May 24, 1913, and the committee was of the opinion that the location of the headquarters should be retained on a more permanent tenure. A subcommittee consisting of the President, the Secretary, and the Treasurer was appointed to consider the matter with power to purchase. This subcommittee entered into negotiations with the owners, and on June 18, 1913, it concluded an agreement to purchase the property. This agreement was approved by the Executive Committee at its meeting on June 28, 1913, and the necessary money allotted to pay the purchase price. The purchase was reported to the Board at its special meeting on November 14, 1913, and the Board, upon the recommendation of the Executive Committee, provided for the reimbursement of the emergency appropriation for the current year of the sum paid out of that appropriation on account of the purchase.

Shortly after the purchase of No. 2 Jackson Place, the adjoining house, No. 4 Jackson Place, became vacant and was placed upon the market for sale. It was offered to the Endowment at what was considered a very favorable figure, and an option was secured under which the property was held until the Execu-

tive Committee could take action. The Committee considered the purchase at its meeting of November 14, 1913, and was of the opinion that it would be advisable to purchase the adjoining house in order to protect the property already owned and to provide for the future development of the headquarters. The Committee accordingly recommended to the Board at its meeting on November 14, 1913, that No. 4 Jackson Place also be purchased, and the Board approved the recommendation by appropriating the purchase price.

Upon the purchase of No. 2 Jackson Place, it was found desirable to make certain improvements for the safety of the building and to fit it properly for permanent office use. A sanitary plumbing system has been installed and the basement, which was in a very dilapidated condition, has been remodeled, and what was formerly entirely wasted space has been converted into janitor's quarters, packing and storage rooms and one large office room.

When No. 4 Jackson Place was purchased it was thought at first that it might be leased until needed by the Endowment. It was not found practicable, however, to lease the building at an adequate rental unless extensive improvements were made. It is an inside building, and the two front rooms of each floor are the only ones suited for office purposes. The balance of the building, on account of the lack of adequate light, can only be used for purposes of storage. The difficulty of leasing the building at a rental which would be a proper return for the investment, and the crowded condition of the offices in No. 2 Jackson Place led the Secretary to recommend that No. 4 be used as a part of the headquarters in connection with No. 2. The Executive Committee approved the recommendation and upon its authorization the two buildings have been connected by doors on each floor. The heating system in No. 2 was found to be adequate to heat also the portion of No. 4 suitable for office purposes. The heating pipes have been connected and the principal item of expense of occupying an additional building, namely, the cost of heating, has been obviated. A few inexpensive improvements in the lighting facilities, and the cleaning and papering of a few rooms are the only other improvements which have been made in No. 4.

The improvements to the two buildings have placed at the disposal of the Secretary's office and of the Division of International Law, a large amount of storage space which was greatly needed, more commodious quarters for the rapidly growing general library and additional office rooms in which the present business of the Endowment may be transacted and still leave room for a reasonable expansion in the future.

#### **Requirements for Appropriation for the Fiscal Year Ending June 30, 1915**

The very material increase during the past year of the business transacted in the Secretary's office, both in volume and detail, has occasioned no additions to the official and clerical force engaged in general administrative work. The duties of one clerk, heretofore carried on the rolls of the Secretary's office, having

so developed that they are now concerned principally with the work of the Division of International Law, he has been transferred to the rolls of that Division, and a new clerk supplied in his place. To the new clerk has been assigned the duties of Chief Clerk, a position left vacant when the Executive Committee changed the title and functions of the former occupant of that position to Assistant to Secretary. The position was not filled until the development of the work of the office made it absolutely necessary to do so. Small increases in salaries in certain well-merited cases have been granted.

The addition of two clerks for work on the mailing list and two clerks for the distribution of literature is explained in the respective sections of this report relating to those subjects.

The various items of office expenses of a general nature have become more or less fixed and are not likely to vary greatly from year to year. Last year these expenses were estimated at \$5,890, and it has been possible, in the estimates for next year, to keep the amount asked for similar items down to \$6,225, an increase of only \$335. It will be noticed, however, that the total asked this year under the heading "Office Expenses" is \$7,225, or \$1,335 more than last year. This is due to the fact that an additional sum of \$1,000 not included last year has been provided for the postage required to carry on the work of keeping the mailing list, heretofore explained.

The sum appropriated last year for the maintenance of headquarters was \$5,700. This included an item of \$3,800 for the rent of No. 2 Jackson Place. Since the Endowment has purchased the headquarters building, the item for rent is no longer required. It is now necessary, however, to provide for the payment of taxes and water rent, which amount to about \$1,350 per annum. The addition to the headquarters of the adjoining building makes it necessary also to provide for slight increases in several of the items relating to the keeping and care of the buildings. These increases have been reduced to the minimum and amount in the aggregate to the small sum of \$600 per annum. With these changes, the total requirements under this heading for next year amount to \$3,850, a net saving of \$1,850.

The item of traveling expenses, which includes expenses of the Trustees in attending the meetings of the Board and of the Executive Committee, and of administrative officers of the Endowment when traveling upon official business, has been increased from \$2,500 to \$3,000 to provide for the additional traveling expenses required by the holding of the autumn meeting of the Board.

The amount asked for contingencies in the Secretary's office has been reduced from \$2,500 to \$1,000. This has been made possible because many of the minor items heretofore of an uncertain amount have become fixed and classified under proper headings.

For the reasons explained in the report of the Executive Committee, the amounts required for the library and publication of the Year Book have been entered as a separate appropriation.

The estimate for the library for this year has been retained at the same amount appropriated last year. It is not expected that so large a fund for the library will be required as a permanent annual charge, and it was anticipated that a reduction would be made this year. The Executive Committee, however, expressed its wish at the meeting of December 20, 1913, that the reference department of the library should be made as complete as possible on the subjects in which the Endowment is interested. In order that there may be a sufficient fund with which to carry out this direction, and to take care of any small additional expenditures which may be involved in the preparation of the bibliography, it is deemed advisable that the sum of \$3,000 should be retained for another year.

The addition of a library assistant is made in order to carry out the recommendations herein contained with reference to a bibliography of international affairs.

The estimate for publishing the Year Book is \$2,200 more than the amount appropriated last year. The increase in the amount is due to the increase in the size of the edition from 7,000 to 10,000 copies, by direction of the Executive Committee.

A careful perusal of the foregoing report of the activities of the Secretary's office can not fail to convince the reader that this office is performing an immense amount of work requiring executive and administrative ability of the very highest character, and the volume of work turned out which requires careful attention to the minutest detail would do credit to an establishment much larger in size and more expensive in cost of operation.

For these gratifying results, achieved at what is undoubtedly the minimum cost, credit is due to the experience, efficiency, faithfulness and loyalty of the official and clerical force.

### **Work of the Divisions**

The work of the Divisions of Intercourse and Education, Economics and History, and International Law is described in the accompanying reports of the Directors of those Divisions.<sup>1</sup>

### **Financial Statement**

Statements showing the financial operations of the Endowment during the preceding fiscal year are appended to this report.

Respectfully submitted,

JAMES BROWN SCOTT,  
*Secretary.*

WASHINGTON, D. C., *March 17, 1914.*

<sup>1</sup>Printed herein, pp. 57, 89, 99, respectively.

# APPENDIX TO THE SECRETARY'S REPORT

## Statement A

### Financial Statement Showing Revenue, Appropriations, Allotments, Amount Expended Under Allotments, and Balance Unexpended of Allotments and Balance of Appropriations Unallotted, for the Fiscal Year Ended June 30, 1913.

(This statement also includes all expenditures from balances of allotments under appropriations for the fiscal year ended June 30, 1912.)

#### RECEIPTS

Balance in bank, July 1, 1912.....	\$263,658.00
Petty cash funds .....	85.00
Interest on the Endowment to March 1, 1913 .....	500,000.00
Interest on bank deposits to June 26, 1913.....	13,650.65
	<b>\$777,393.65</b>

#### EXPENDITURES FROM BALANCES OF APPROPRIATIONS AND ALLOTMENTS FOR YEAR ENDED JUNE 30, 1912

	Balance of Appropriations	Balance of Allotments	Balances Unallotted	Amount Expended	Balances Unexpended
For support of Existing Agencies of Peace, 1911.....	\$22,241.11				\$22,241.11
For General Administration, 1911.....	14,870.74	\$14,334.52		\$4,648.69	24,556.57
For Administration to June 30, 1912.....	3,300.00	1,682.38		1,297.99	3,684.39
For Division of Intercourse and Education to June 30, 1912..	4,000.00	10,508.74		3,473.02	11,035.72
For Division of Economics and History to June 30, 1912...	2,737.30	23,832.62		3,597.29	22,972.63
For Division of International Law to June 30, 1912.....		2,015.00		1,282.24	732.76
For Emergencies to June 30, 1912.....	41,600.00	5,315.29		40,028.55	6,886.74
	<b>\$88,749.15</b>	<b>\$57,688.55</b>		<b>\$54,827.78</b>	<b>\$92,109.92</b>

Balances of appropriations to June 30, 1912 .....	\$88,749.15
Balances of allotments to June 30, 1912 .....	57,688.55

Total .....	<b>\$146,437.70</b>
Amount expended during fiscal year ended June 30, 1913 .....	<b>54,327.78</b>

Balance of these appropriations which reverted to the unappropriated funds, June 30, 1913 .....	<b>\$92,109.92</b>
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#### EXPENDITURES FROM ALLOTMENTS UNDER APPROPRIATIONS FOR THE FISCAL YEAR ENDED JUNE 30, 1913

	Appropriations	Allotments	Balances Unallotted	Amount Expended	Balances Unexpended
APPROPRIATION FOR GENERAL ADMINISTRATION FOR YEAR ENDED JUNE 30, 1913 .....	\$51,570.00				
Salaries—officials.....		\$16,000.00		\$15,791.69	\$208.31
Salaries—clerks .....		11,980.00		11,151.91	828.09
Stationery, office sundries, etc..		8,890.00		8,821.16	68.84
Maintenance of headquarters...		5,700.00		5,611.04	88.96
Traveling expenses .....		2,500.00		2,463.81	36.19
Publication and expenses of Year Book for 1912.....		4,500.00		4,292.43	207.57
	<b>\$51,570.00</b>	<b>\$49,570.00</b>	<b>\$2,000.00</b>	<b>\$48,132.04</b>	<b>\$1,437.96</b>

	Appropriations	Allotments	Balances Unallotted	Amount Expended	Balances Unexpended
<b>APPROPRIATION FOR THE DIVISION OF INTERCOURSE AND EDUCATION FOR YEAR ENDED JUNE 30, 1913</b>	<b>\$203,850.00</b>				
Expenses of Division in New York		\$9,750.00		\$7,503.69	\$2,246.31
Special correspondents		5,400.00		5,400.00	
European Bureau and Secretariat		13,039.33		13,039.33	
American Peace Society		31,000.00		31,000.00	
American Association for International Conciliation		36,000.00		36,000.00	
Le Bureau International Permanent de la Paix		23,162.38		23,162.38	
L'Office Central des Associations Internationales		14,476.51		14,476.51	
Special propaganda		17,376.33		17,376.33	
Aid to periodicals		7,576.05		7,576.05	
Educational exchange with Japan and other work in Asia		7,500.00		7,500.00	
International visits of representative men		8,000.00		7,468.14	531.86
Office expenses, American Group, Interparliamentary Union		300.00		113.39	186.61
Distribution of <i>The Two Hague Conferences</i>		1,000.00		1,000.00	
Distribution of <i>The International Mind</i>		1,000.00		1,000.00	
Distribution of <i>Les États-Unis d'Amérique</i>		500.00		500.00	
Distribution of <i>The Promotion of Peace</i>		300.00		300.00	
American Association for International Conciliation, for special work		20,000.00		20,000.00	
Work of propaganda on Panama Canal tolls question		7,469.40			7,469.40
	<b>\$203,850.00</b>	<b>\$203,850.00</b>		<b>\$193,415.82</b>	<b>\$10,434.18</b>
<b>APPROPRIATION FOR THE DIVISION OF ECONOMICS AND HISTORY FOR YEAR ENDED JUNE 30, 1913</b>	<b>\$80,000.00</b>				
Expenses of Division in New York		\$10,000.00		\$8,421.02	\$1,578.98
Honoraria, Committee of Research		18,500.00		18,500.00	
Contracts of the Committee of Research		30,000.00		7,647.87	22,352.13
Separate allotments for contracts of Committee of Research		{ 2,380.00 22.10		835.18	{ 1,544.82 22.10
Assistance and expenses member of Committee of Research for South America		1,100.00		9.25	1,090.75
Research work in Japan		2,265.00		1,132.50	1,132.50
Research work in North America		2,000.00		731.68	1,268.32
Research work in China		1,000.00			1,000.00
Preparation of map of North Sea		500.00			500.00
	<b>\$80,000.00</b>	<b>\$67,767.10</b>	<b>\$12,232.90</b>	<b>\$37,277.50</b>	<b>\$30,489.60</b>

	Appropriations	Allotments	Balances Unallotted	Amount Expended	Balances Unexpended
<b>APPROPRIATION FOR THE DIVISION OF INTERNATIONAL LAW FOR YEAR ENDED JUNE 30, 1913</b> .....	<b>\$101,850.00</b>				
Expenses of Division.....		\$10,700.00		\$10,386.81	\$313.19
Collection and publication of arbitration treaties.....		1,500.00		15.53	1,484.47
Collection of all known international arbitrations.....		5,000.00		4,122.01	877.99
Aid to international law journals.....		12,780.00		10,648.89	2,131.11
Institute of International Law. Purchase and distribution of Proceedings of American Society for Judicial Settlement of International Disputes.....		20,000.00		20,000.00	
Purchase of copies of <i>Recueil des Arbitrages Internationaux</i> .....		1,000.00		914.35	85.65
Expenses of foreign publicists invited to attend the meeting of American Society of International Law.....		2,400.00		1,160.82	1,239.18
Printing and distributing Report on Teaching of International Law.....		3,500.00		1,031.06	2,468.94
		1,000.00			1,000.00
	<b>\$101,850.00</b>	<b>\$57,880.00</b>	<b>\$43,970.00</b>	<b>\$48,279.47</b>	<b>\$9,600.53</b>
<b>APPROPRIATION FOR EMERGENCIES FOR YEAR ENDED JUNE 30, 1913</b> .....	<b>\$50,000.00</b>				
Distribution of <i>L'Enigme Allemande</i> .....		\$4,000.00		\$4,000.00	
Competition for essays on international morality.....		2,500.00			\$2,500.00
Circulating Mr. Carnegie's papers on international arbitration.....		125.00		125.00	
Emergency fund for European Bureau.....		500.00		500.00	
International Congress of Students.....		3,000.00		3,000.00	
Distribution of Panama Canal tolls literature.....		25,000.00		23,546.38	1,453.62
Expenses and publication of Year Book, 1912.....		2,000.00		2,000.00	
Part of purchase of office building.....		12,875.00		12,875.00	
	<b>\$50,000.00</b>	<b>\$50,000.00</b>		<b>\$46,046.38</b>	<b>\$3,953.62</b>

*Recapitulation*  
**Appropriations for Fiscal Year Ended June 30, 1913**

PURPOSE	Appropriations	Allotments	Balances Unallotted	Amount Expended	Balances Unexpended
General Administration . . . .	\$51,570.00	\$49,570.00	\$2,000.00	\$48,132.04	\$1,437.96
Division of Intercourse and Education . . . . .	203,850.00	203,850.00		193,415.82	10,434.18
Division of Economics and History . . . . .	80,000.00	67,767.10	12,232.90	37,277.50	30,489.60
Division of International Law	101,850.00	57,880.00	43,970.00	48,279.47	9,600.53
Emergencies . . . . .	50,000.00	50,000.00		46,046.38	3,953.62
	<b>\$487,270.00</b>	<b>\$429,067.10</b>	<b>\$58,202.90</b>	<b>\$373,151.21</b>	<b>\$55,915.89</b>
Expended under allotments for year ended June 30, 1912 ..					<b>\$54,327.78</b>
Expended under allotments for year ended June 30, 1913 ..					<b>873,151.21</b>
Total Expenditures ...					<b>\$427,478.99</b>
Postage fund for mailing list..	\$200.00				
Cash on hand in petty cash funds June 30, 1913 . . . . .	160.00				
Balance on deposit with banks.	349,554.66				<b>349,914.66</b>
Total . . . . .					<b>\$777,393.65</b>



## Statement B

### Statement Showing the Amount, Character, and Purpose of Expenditures Appearing in Statement A, by Each Division of the Endowment.

PURPOSE OF EXPENDITURE	Secretary's Office and General Administration	Division of Intercourse and Education	Division of Economics and History	Division of International Law	Total
Salaries .....	\$28,023.60	\$3,371.00	\$6,951.25	\$6,475.99	\$44,821.84
Stationery .....	715.19	137.34	9.31	.65	862.49
Postage .....	465.61	421.76	39.66		927.03
Rent of Offices .....	3,800.00	850.00	750.00		5,400.00
Fuel .....	284.50	186.73			451.23
Lights and fans .....	132.45	89.03			221.48
Telephone .....	300.78	140.13			440.91
Telegrams .....	237.53	95.52			333.05
Freight and express .....	65.70	14.33	6.60		86.63
Printing .....	1,912.80	1,926.86	777.38	3,041.30	7,658.34
Furniture .....	1,464.84	579.55		33.90	2,078.29
Repairs .....	302.82	291.91			594.73
Miscellaneous .....	1,905.73	757.13	109.69	134.97	2,907.52
Library .....	2,648.71				2,648.71
Traveling expenses, Trustees and officials .....	2,992.06	637.35	75.00	700.00	4,404.41
Year Book, 1911 .....	288.25				288.25
Year Book, 1912 .....	6,292.43				6,292.43
Paid on purchase of building. European Bureau and Secre- tariat .....	54,475.00				54,475.00
Special correspondents .....		13,539.33			13,539.33
Subventions to Societies:		5,900.00			5,900.00
American Peace Society ....		31,000.00			31,000.00
American Association for International Conciliation ..		56,000.00			56,000.00
Le Bureau International Permanent de la Paix ....		23,162.38			23,162.38
L'Office Central des Asso- ciations Internationales ...		14,476.51			14,476.51
International Arbitration League .....		1,450.00			1,450.00
Franco-American Committee Aid to periodicals .....		400.00			400.00
International visits of repre- sentative men .....		7,576.05		10,948.54	18,524.59
Educational exchange with Japan and other work in Asia .....		9,716.94		1,031.06	10,748.00
Entertainment of distinguished foreign visitors .....		7,500.00			7,500.00
Special propaganda .....		608.85			608.85
Office expenses, American Group, Interparliamentary Union .....		41,571.68			41,571.68
Printing and distribution of publications .....		113.39			113.39
International Congress of Stu- dents .....		6,925.00		2,075.17	9,000.17
Advances to Chinese students ..		3,000.00			3,000.00
Honoraria, Committee of Re- search .....		2,233.00			2,233.00
Contracts of the Committee of Research .....			18,500.00		18,500.00
Research work in America ..			14,155.01		14,155.01
Research work in Japan .....			2,403.16		2,403.16
Collection and publication of arbitration treaties .....			1,401.42		1,401.42
Collection of all known inter- national arbitrations .....				15.53	15.53
Institute of International Law ..				5,404.25	5,404.25
				20,000.00	20,000.00
Totals .....	\$106,288.00	\$234,671.77	\$45,178.48	\$49,861.36	\$435,999.61

Total amount of expenditures .....	\$435,999.61
Less miscellaneous refunds .....	8,520.62
Net amount charged against allotments .....	\$427,478.99

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# **DIVISION OF INTERCOURSE AND EDUCATION**

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## **REPORT OF THE ACTING DIRECTOR**

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## **DIVISION OF INTERCOURSE AND EDUCATION**

### **REPORT OF THE ACTING DIRECTOR**

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#### **TO THE EXECUTIVE COMMITTEE:**

While this report is primarily intended to cover formally the activities of the Division for the year ended June 30, 1913, it also treats of those activities and undertakings begun since that date which are now under way. The general plans of organization and work heretofore authorized by the Trustees and by the Executive Committee have been proceeded with as rapidly as circumstances and funds allotted to the Division would permit. It has been the policy of the Division of Intercourse and Education, following the known wishes of the Trustees and of the Executive Committee, to lay little stress upon those aspects of peace propaganda that are primarily rhetorical and fleeting in character, but rather to organize throughout the world centers of influence and of constructive policy that may be used in the years to come as the foundation upon which to erect a superstructure of international confidence and good will and therefore of peace.

No student of contemporary opinion can doubt that until the leading nations of the world are imbued with the belief that peace leads to righteousness more surely than does war and that it more certainly promotes individual comfort and national well-being, will the amazing expenditure upon land and naval armaments be checked or a feeling of national rivalry and antagonism disappear before one of confidence and trust. The work of the Division of Intercourse and Education is organized and conducted from this point of view. It is not specially concerned with the passing of declaratory resolutions in favor of peace however excellent, or with denunciations of war and of armaments however sincere. It looks behind and beneath these ephemeral manifestations of sentiment to the upbuilding by a process of moral and intellectual education of a sound international opinion that will rest upon permanent conviction.

#### **Administration of the Division**

##### **IN THE UNITED STATES**

The building at 407 West 117th Street, New York, rented at an annual cost of \$1,600, makes sufficient provision for the offices of the Division and also for those of the Division of Economics and History and the American Association

for International Conciliation, which has become the chief agency of the Division in the work of active propaganda. Month by month the correspondence of the Division increases in volume and in importance and this is reflected in a small additional expenditure for office equipment and furnishings. The office force remains as heretofore and consists of an Assistant to the Director, a clerk and stenographer, a messenger and a caretaker, whose total annual compensation amounts to \$3,756. The records and archives of the Division are in convenient form for ready reference. The method of filing by subject with a card index of names and cross reference card index by topics is proving entirely satisfactory. Newspaper cuttings giving information on subjects of international importance and interest are constantly exchanged with our correspondents in this and other countries. In this way the Acting Director is kept in touch with public opinion abroad and is enabled to inform our foreign correspondents of events and of the development of opinion in America.

During the year there has been worked out a method of distributing to approximately one thousand daily and weekly newspapers, published chiefly in small towns and in the country districts, news items of an educational character dealing strictly with international matters. The purpose has been to inform the public in different parts of the United States of international events, in a way that would arouse interest and kindly feeling. It has been found advisable to send out these news items at irregular intervals; on the average from five to six items of this kind have been sent out about once in three weeks. Already good results have followed this work. Of the newspapers supplied with these items of international news, 160 have taken the trouble to inform the Division that they have used some part of the items sent them. In more than one case all the items sent are regularly used and sometimes they are given much prominence by particular journals.

It is an agreeable function of the Division to extend courtesies to distinguished strangers who may visit the United States and to make it easy and possible for them to meet representative Americans. Among those whom it has been an honor and a pleasure to receive during the period under review are:

Professor Henri Bergson of the Collège de France  
Professor Rudolf Eucken of the University of Jena  
Lord Weardale and his distinguished colleagues constituting the British Delegation to confer as to the celebration of the Centenary of the Treaty of Ghent  
The German Ambassador at Washington  
Viscount Haldane, Lord High Chancellor of Great Britain  
M. Emile Boutroux of the Académie Française  
Sir Courtenay Ilbert, Permanent Clerk of the House of Commons  
Professor Alois Riehl of the University of Berlin  
Professor Karl Rathgen, Kaiser Wilhelm professor for 1913-14  
The Right Honorable Reverend Abbot Gasquet, President of the Commission to revise the Vulgate

The Right Honorable Baron Northcliffe  
Wilfrid Ward, Esq., Editor of the *Dublin Review*  
The Right Honorable the Earl of Kintore, Chairman of the Executive Committee of the Anglo-American Exposition  
Professor Dr. C. Snouck Hurgronje of the University of Leiden  
Baroness Bertha von Suttner of Vienna  
Professor Josef Schumpeter of the University of Graz  
Professor J. Redlich of the University of Vienna  
Alfred Noyes, the English poet  
The Honorable Geoffrey Howard, M.P.  
The Honorable Neil Primrose, M.P.

What was said in the last annual report may be repeated here, that inasmuch as it is the plan of the Division of Intercourse and Education to do as much of its work as possible through organizations already in existence, the policy has been followed of keeping the organization of the central office small and inexpensive while making provision for carrying on its work with the greatest effectiveness.

#### IN EUROPE

The experience of the year has confirmed the good judgment of the officers in charge of the European Bureau in procuring the simple but excellent offices at 24 rue Pierre Curie, Paris. The permanent staff of the Bureau consists of: a Secretary General; a Secretary, who occupies an apartment adjoining the Division's offices; clerk and stenographer; messenger; auditor; and accountant, whose total annual compensation is the very modest sum of fr. 19,124.

M. Prudhommeaux, the Secretary General, relates in his annual report how the work carried on under his most competent direction continues to grow in volume and importance. The European Bureau is extremely fortunate in being able to lean so heavily and so constantly upon the chairman of the Advisory Council in Europe, Baron d'Estournelles de Constant, for his coöperation and counsel. The European Bureau has now become the recognized center of the work of the Division of Intercourse and Education in all European countries and for some details of the work carried on in South America and in the Orient. The long primacy of France and of the city of Paris in international affairs and the use of the French language in formal diplomatic intercourse makes it possible for the European Bureau to carry on activities and to exercise an influence from Paris which would not be possible were it placed elsewhere. The Secretary, M. Puech, has rendered a full and detailed financial statement which once more demonstrates not only his own personal devotion and attention to every detail of the work of administration but the careful economy exercised in the administration of the European Bureau. A review of the work of the Bureau would not be complete without a personal mention of the valuable coöperation of Madame Puech, who, without either official position or compensation, renders constant

service as interpreter and as a gracious hostess to visitors from other countries. The entire staff of the Bureau, including the auditor, Professor Ruysen, Mlle. Peylade, and M. Victor Lepecheux in charge of the printing work at La Flèche, render a type of devotion and effective service which no amount of compensation could secure. The European Bureau is in constant communication with the office of the Division in New York, with the members of the Advisory Council in Europe and with the correspondents of the Division in various countries. It keeps its finger on the pulse of public opinion throughout Europe and informs the Acting Director by mail and, when necessary by cable, of important international occurrences.

It has been found convenient and economical to make most of the disbursements in Europe for the Division of Intercourse and Education and for the Division of Economics and History as well through the European Bureau. The large amount of detailed work which is thus involved is performed quickly and accurately. For the year ending June 30, 1913, the subventions disbursed by the European Bureau for the Division of Intercourse and Education amounted to fr. 351,367; for the Division of Economics and History for the same period the amount disbursed was fr. 20,038.10.

The total expense of administering the European Bureau, including the honoraria to Special Correspondents (fr. 5,300), the expense connected with the Franco-German Interparliamentary Conference at Berne, May 11, 1913 (fr. 3,300), and a few minor subventions granted for the purposes of propaganda (fr. 1,805.10), amounts for the year to fr. 47,253.05.

Dr. Edoardo Giretti and Dr. Sanchez de Silvera have been added to the European Bureau as Special Correspondents in Italy and Spain respectively (see Year Book for 1912, p. 64), and steps have been taken to secure suitable correspondents in other European countries not yet represented. A number of suggestions have been made, particularly for correspondents in the Balkan States, but as yet the European executive committee has not reached any conclusion as to the recommendations to be made.

One of the most important duties of the European Bureau is to investigate and report upon requests for subventions in aid of various forms of work in the interest of international peace and arbitration. During the year ending June 30, 1913, fifty-five such requests were received. Without such examination by the European Bureau and the advice of its executive committee, the Division would be quite at a loss as to how to discriminate between requests of this kind, many of which are presented with great urgency.

Among the other activities of the European Bureau may be mentioned careful preparation for the meetings of the Advisory Council in Europe and of the European executive committee; the editing and publication of the reports of these meetings; study of the reports of those organizations and individuals in Europe which

receive subventions from the Carnegie Endowment, and transmission of these reports to the Acting Director with the comments of the European Bureau thereon; appropriate representation of the Endowment in congresses and conferences at which matters of international interest or international activity are considered.

The European Bureau, in coöperation with a special committee composed of men particularly experienced in journalism and in studying public opinion, has carried on an elaborate inquiry into the possibility of creating an international public sentiment in favor of the judicial settlement of international disputes by means of an impartial and unprejudiced newspaper service. This work of investigation, although not yet complete, has developed facts of great value and significance. It does not appear likely that the Carnegie Endowment will have at its disposal funds sufficient to carry into effect any such plan, even if it meets the approval of the European executive committee. It can not be doubted, however, that the public opinion of the world is constantly misled and international friction is constantly developed by misinformation, partial information or false information conveyed by the ordinary news agencies, sometimes unwittingly, and sometimes perhaps with intent. If a way could be found to counteract this baleful influence it would be greatly to the advantage of the work of the Carnegie Endowment.

As recommended in the last annual report of the Division of Intercourse and Education (see Year Book for 1912, p. 65) an allotment of \$9,000 was made for the fiscal year ending June 30, 1914, for the purpose of enabling contributions to be made in aid of the work of various peace and arbitration societies in Europe and Asia, as well as for such other work of propaganda as might seem advisable. At the time this allotment was made the organization of the European Bureau had been completed and was in full working order. The Executive Committee of the Trustees therefore directed that the allotment of this sum to various societies and individuals should be disbursed through the European Bureau upon the advice of the Advisory Council in Europe or of its executive committee.

It seems plain that, in conformity with the most fundamental principles of business administration, the allotment of funds for the use of which the Trustees of the Carnegie Endowment are responsible must be made by an agency created by and responsible to the Carnegie Endowment. During the present fiscal year the administration of this allotment has been admirably conducted.

#### THE ADVISORY COUNCIL IN EUROPE

A glance at the list of names included in the Advisory Council in Europe shows that nearly every European country is represented and that not a few of the members of the Council take or have taken an active part in directing the



official policies of their several governments. The members of the Advisory Council are in constant communication with the European Bureau. When appealed to by the Bureau or by the Acting Director they have responded generously with exact information and wise counsel on matters of importance.

The annual meeting of the Advisory Council was held in Paris, September 8, 1913. The financial report of the European Bureau was read, considered and approved. The work of the Bureau for the last fiscal year was reviewed and plans for its development in future were examined and discussed. The Assistant to the Director of the Division was in Paris at the time and was courteously invited to be present at the meeting of the Advisory Council.

#### THE EUROPEAN EXECUTIVE COMMITTEE

The executive committee of the Advisory Council in Europe, with the important advice of the larger body, controls the administration of the work of the European Bureau and takes final action on matters of policy.

It acts upon all requests from Europe and Asia for subventions and either makes allotments from funds placed at its disposal or refers such requests to the Executive Committee of the Trustees, in cases where the work proposed lies within the scope of the activities of the Division of Intercourse and Education. The financial reports and all important projects of the European Bureau are presented to this committee for approval. In November, 1912, and in May and September, 1913, important meetings were held, the results of which have been of inestimable value to the Division.

It is a great tribute to the international importance of the work of the Endowment that distinguished men from widely separated countries consider it a privilege and a duty to come together two or three times a year for the purpose of aiding by their wisdom and experience the effort to promote the ends which the Endowment is organized to serve.

#### Work in Europe

##### LE BUREAU INTERNATIONAL PERMANENT DE LA PAIX, BERNE

For the fiscal year ended June 30, 1913, a subvention of \$24,000 was made to the Berne Bureau with the direction that not less than \$4,000 of this amount should be devoted to the support of national peace societies in such amounts and in such manner as the Berne Bureau itself might determine.

For the year ending June 30, 1914, this subvention has been fixed at \$15,000 and there is no obligation that any of it be devoted to the support of national peace societies.

From the annual report of the Berne Bureau it appears that the amount allotted to national peace societies during 1912-13 was 25 per cent. greater than that

stipulated by the Executive Committee. It appears also that the subvention from the Carnegie Endowment forms 76.5 per cent. of the total income of the Bureau for the year. As compared with the report of the previous year, which indicated that the Carnegie Endowment was contributing 91.5 per cent. of the total income of the Bureau, this indicates progress in the right direction. It is to be hoped that the Berne Bureau will be successful in securing subventions and support from many coöperating sources.

The governing commission of the Bureau met in September, 1912, and again in March, 1913. The magazine entitled *The Peace Movement*, which is published in English, in French and in German, was carefully considered by the commission in the light of the discussion which its appearance had aroused. It was decided that hereafter the magazine should appear monthly instead of every two weeks, and that it should give more space to actual documents and records relating to the peace movement throughout the world. There has also been much discussion of the general organization of the Bureau and of the statutes governing it. A plan for reorganization has been under consideration with a view to co-ordinating the work of the different departments and for the improvement of that work.

The executive committee of the Bureau held fifteen meetings and exercised a general supervision over the administration. It also prepared a calendar of business for the consideration of the governing commission. In the annual report of the Berne Bureau emphasis was laid upon the importance of the Universal Peace Congresses. It is quite easy to overestimate the importance of these gatherings. That there is a difference of opinion concerning them is clearly shown by the comments of the press. It is urged by some influential newspapers, as, for example, the *London Times* in an editorial August 25, 1913, that the average man is in no way impressed by the proceedings of these annual congresses as now conducted. It must be granted that there is force in the criticisms that too much time is given to general and somewhat vague discussion and that enough emphasis is not laid upon the interdependence of the nations and the need for prosecuting vigorously educational work along economic, commercial, ethical and social lines. It is plain that the Berne Bureau is at work in endeavoring to solve these problems in order that the influence of these congresses may be increased.

#### L'OFFICE CENTRAL DES ASSOCIATIONS INTERNATIONALES, BRUSSELS

Since the report submitted by the Acting Director to the Executive Committee on November 16, 1912, two annual reports have been received from *L'Office Central*, one covering the year ended June 30, 1912, and the second covering the year ended June 30, 1913. Among the activities dealt with in the reports are these:

The International Library, consisting of 75,000 volumes  
 Universal bibliography, covering 11,000,000 topics  
 Documentary Encyclopedia, including 300,000 subjects  
 International Museum, comprising 10,000 exhibits.

*L'Office Central* is increasingly making itself the headquarters of international movements and the value of its important publications is everywhere acknowledged. These include the review *La Vie Internationale*, *Annuaire de la Vie Internationale*, *Actes du Congrès Mondial des Associations internationales* (1910), *Actes du deuxième Congrès Mondial des Associations internationales* (1913), *Notice générale sur l'Union des Associations internationales*, *Code de l'Organisation internationale*, *Organisation ouvrière internationale*. *L'Office Central* has two distinct objects which complement each other:

- First, to further stable and peaceful relations between nations; to substitute legal procedure for force in the settlement of international questions;
- Second, to encourage coöperation between groups for the purpose of increasing knowledge, encouraging art, elevating conduct and developing the natural resources of the world and so promoting the general welfare and the progress of humanity.

At the Congress of International Associations held in 1910, 137 associations and 13 governments were represented. At the Congress of 1913, 169 associations and 22 governments were represented. There are at present no fewer than 511 international associations covering between them nearly the entire field both of scholarly investigation and of practical activity. A permanent library, an extensive bibliography and documentary encyclopedia, together with an international museum of practical value, all situated in a convenient center such as Brussels can not fail to be of great value in the development of the international movement of our time.

It appears that between June, 1912, and May, 1913, 10,487 persons visited the museum. Through the courtesy of the Belgian Government, *L'Office Central* has heretofore occupied offices in several public buildings. These have now proved insufficient and detailed plans have been made for the construction of an adequate palace to serve as headquarters for international associations of all sorts. The Government of Belgium has agreed to provide a large plot of ground for such a building situated in one of the national parks. It is strongly hoped that other governments will aid by contributing to the cost of the buildings themselves.

Since the organization of the Endowment, an annual subvention of \$15,000 has been granted to *L'Office Central* in aid of its work in the hope that this financial assistance would make it possible to develop this excellent work more rapidly

and that adequate resources to enable it to continue and extend its work could be obtained from other sources.

#### UNION INTERPARLEMENTAIRE AT BRUSSELS

The *Union Interparlementaire*, with its headquarters at Brussels, received an annual subvention of \$2,500 from the Carnegie Endowment, which was paid through the American Association for International Conciliation. This subvention has not been used for any specific purpose but was added to the general income of the Union. By its aid all outstanding accounts for 1912 were settled and some addition was made to the reserve fund, which it is proposed to fix at fr. 100,000. During the year the Union lost its president by the death of the eminent Belgian, M. Auguste Beernaert, who had so long presided over its work. In March, 1913, Lord Weardale, than whom the cause of international peace has no more eloquent or devoted representative, was chosen as his successor. The work of the Union is set out in full in its annual publications.

#### THE GARTON FOUNDATION AT LONDON

The Garton Foundation of London was organized in 1912 by Sir Richard Garton, Lord Esher, Mr. Arthur J. Balfour and Mr. Norman Angell. It is an exceedingly important undertaking and has the specific purpose of leading the British people, and particularly the young men and women in schools, colleges and universities, to the impartial study of questions of international polity. The Garton Foundation has already induced many thousand persons to join societies and study clubs and to take a keen interest in the international movement. The Executive Committee of the Carnegie Endowment has formally expressed its sympathy with the work of the Garton Foundation and its wish to coöperate with it.

#### INTERNATIONAL ARBITRATION LEAGUE AT LONDON

From the report of the International Arbitration League of London it appears that that body has received a subvention of \$1,000 from the Carnegie Endowment through the European Bureau and that the work of the League is carried on effectively, particularly among workingmen. The League has provided lecturers for frequent meetings of workingmen and has opposed actively the agitation in favor of military conscription in Great Britain. A campaign in favor of the exemption of private property at sea from capture in time of war has also been conducted.

#### THE NATIONAL PEACE COUNCIL AT LONDON

The National Peace Council, first established in 1905, consists of representatives of peace societies and other bodies in Great Britain and Ireland interested

in the promotion of peace and arbitration. Its purpose is to assist all such organizations to harmonize their work and to make it effective without waste or duplication of effort. An important central library and bureau of information are maintained by the Council. Its publications include political, economic and educational pamphlets, a monthly circular and the Peace Year Book. The Council may truly be described as the executive center of the peace movement in the British Empire. The Council has received, through the European Bureau, a small subvention from the Carnegie Endowment.

#### AID TO PERIODICALS

Annual subventions to four European periodicals devoted to the support of the movement for peace and international arbitration have been continued without change.

*Die Friedens-Warte*.—The comparatively large annual subvention of \$6,000 to this journal is amply justified by its increasing influence in German-speaking countries. The editor, Dr. Alfred H. Fried, who was a recipient of the Nobel Prize in 1911, devotes himself entirely to its management. By the aid of the subvention from the Endowment, 4,148 copies of *Die Friedens-Warte* are sent regularly free of cost to members of the German and Austrian parliaments, to members of the diplomatic corps of those countries, to university professors, school teachers, students, lawyers, journalists, publicists, libraries and reading rooms in German-speaking countries. That the influence of this journal is increasing is clearly demonstrated both by the use made of its contents in the public press and by the large correspondence which each succeeding issue calls out. Dr. Fried has been successful in obtaining special articles of importance from authorities on international law and from persons of influence and eminence in international affairs. *Die Friedens-Warte* is a steadily growing influence felt throughout all German-speaking countries in the promotion of international organization and interdependence.

*La Paix par le Droit*.—The annual subvention of \$1,350 granted to this journal is expended in part for the stated distribution of 1,000 copies free of charge to recipients and in part to the general cost of publication. *La Paix par le Droit* is issued bi-monthly at Paris under the direction of M. August Laune, under the supervision of a committee of which M. Charles Richet is president and M. Jules Prudhommeaux is secretary. It contains numerous important articles on subjects of international interest, written by men of prominence, and in not a few cases these articles have been republished in pamphlet form and given a wide distribution. The number of paying subscribers to *La Paix par le Droit* is increasing. The regular editions now amount to 5,500 copies. Over 100 American universities and colleges receive *La Paix par le Droit* regularly for use in their college reading rooms or in the French classes.

*The Arbitrator*.—This journal is the organ of the International Arbitration League and is issued at London. The annual subvention of \$250 is spent in meeting the cost of 1,000 subscriptions which are distributed among public libraries, coöperative societies, reading rooms, trade union secretaries and other leaders of the working classes; some newspapers, publicists and members of parliament are also included. The circulation of 2,500 monthly shows an increase of 500 over the previous year. *The Arbitrator* is well edited and treats international matters with a breadth of view that must impress its readers.

*The Herald of Peace*.—The record of this journal as it appears in the annual report of the Peace Society is as follows:

"The *Herald of Peace* is still confined to a quarterly issue, and testimonies still come to the fact that its monthly issue is missed by our friends and coadjutors. There is great need of a regular peace *newspaper*, recording from month to month, not exhaustively, for that is impossible, but systematically, the principal incidents and facts connected with Peace, and there is equal need for a continuous report of the work of the Society, and with its developing activities it is hoped that we shall be able to reissue the paper more frequently than once in three months. We are still indebted to the Carnegie Endowment for the same number of subscriptions (666) for gratuitous distribution. Number of each issue is 5,300."

### Special Correspondents

Dr. Alfred H. Fried, correspondent at Vienna, in addition to enlarging the scope and effectiveness as well as the circulation of *Die Friedens-Warte*, has published and circulated important pamphlets for the purpose of propaganda, and also the notable *Handbuch der Friedensbewegung*. He has furnished from time to time much valuable and confidential information concerning the lamentable Balkan wars and their results and as to the relations between Austria, Germany and England. In connection with the ceremonies attendant upon the dedication of the Peace Palace at The Hague in August last, Dr. Fried had the distinction of receiving the degree of Doctor of Letters, *honoris causa*, from the University of Leiden. Through the publication of a series of pamphlets entitled *Internationale Organisation*, Dr. Fried distributes throughout Europe important essays on international relations. He maintains in his office a well ordered documentary history of the peace movement, an extensive newspaper service, and is always able to furnish information that has value and significance.

Francis W. Hirst, Esq., correspondent at London, has furnished numerous reports on important subjects, including the Balkan wars, public opinion in France, Germany and England, and the action that is being pressed upon the British Government in regard to the neutralization of private property at sea in time of war. By making a personal visit to all the important ports on the

North Sea, Mr. Hirst completed a study of the commerce of the North Sea that is of particular value. In addition, he has lectured throughout England and Scotland on the limitation of armaments and on the freedom of private property at sea from capture. Through leading articles in his own paper, *The Economist*, he has exercised a wide influence. During the year 1913 Mr. Hirst made a valuable addition to the literature of the peace movement in a book entitled *The Six Panics and Other Essays*. He also served as a member of the Commission of Inquiry concerning the Balkan Wars, to be described later.

Mr. T. Miyaoka, correspondent in Tokio, writes at length and carefully concerning all matters of importance in Japan, as well as concerning Japanese opinion on matters of international importance elsewhere. In particular, he has dealt at length with the visits of Mr. Charles W. Eliot and Mr. Hamilton W. Mabie to the East, and has given kindly assistance to various American visitors. Mr. Miyaoka's reports on the effect in Japan of the anti-alien land ownership law passed by the legislature of California have been prepared with great care and are of the highest value. He has developed a campaign of publicity concerning international affairs in Japanese newspapers which will undoubtedly have a broad educational effect in instructing public opinion in Japan. The representatives of the Japanese press frequently call upon him for the latest and most accurate information concerning American affairs and opinion.

Professor Dr. Wilhelm Paszkowski, correspondent at Berlin, has continued vigorously and effectively his work of encouraging international friendship, by bringing into close companionship the many students from foreign countries who are in residence in Berlin for a longer or shorter time. He has been successful in arranging for the re-publication in German newspapers of many of the cuttings from American papers sent him from the headquarters of the Division in New York. His frequent reports on current events and public opinion in Germany, on the Balkan wars, and upon the relations between Germany, France, England and America contain a large amount of valuable information, much of which is unobtainable elsewhere. By the use of international student organizations, and in particular through his relations to the Universitäts Auskunftsstelle and the Böttinger Studienhaus, Professor Paszkowski stands in a peculiarly fortunate position to encourage and assist those who wish to aid in the development of a larger international life.

An informal but helpful correspondence has been maintained with Mr. Frank N. West of Buenos Aires. He has supplied the Division with information of value in regard to the state of public opinion in the Argentine Republic and adjoining states and has furnished many cuttings from local newspapers.

Arrangements are now making for increasing the scope of this system of informal correspondence. It is hoped shortly that representatives will be found to furnish the Division with information from the Republic of Colombia and from India. It is difficult to lay too much emphasis upon the value of the regular confidential correspondence from the widely separated capitals where the Division is formally represented. Through these correspondents the Acting Director is kept abreast of the movement of public opinion in the various nations and is given the information necessary to consider intelligently the many and frequently grave questions which it is the duty and the privilege of the Division to study and to act upon.

### Relations with Other American Republics

When the Division of Intercourse and Education was first organized, one of its earliest plans was to develop closer relationships between the intellectual classes of the United States and those of the other American Republics. Owing to reasons beyond the control of the Division, there was a delay of nearly two years in entering upon the execution of the plans that had been formulated. In the early summer of 1913, however, Mr. Robert Bacon, formerly Secretary of State of the United States and later Ambassador to France, was invited to visit a number of South American capitals in the interest of the work of the Endowment. During October, November and December, 1913, Mr. Bacon visited Brazil, Uruguay, the Argentine Republic, Chile and Peru. He was everywhere received with the utmost cordiality and his message was listened to with marked attention. The primary object of Mr. Bacon's visit was to explain the organization and policy of the Trustees of the Carnegie Endowment and to ascertain in what manner and by what methods the Endowment might best proceed to organize its work for the purpose of developing among American nations a better and more intimate knowledge of each other's civilization. Through public addresses and by personal conversation with representative men Mr. Bacon was able to give much information in regard to the purpose and work of the Endowment and as to the true state of public opinion in the United States. Similarly he was able to learn with more than customary accuracy what was the true state of public opinion in the South American countries visited. In Brazil, in the Argentine Republic, in Peru and in Chile, Mr. Bacon successfully prepared the way for the organization of national societies for International Conciliation to be affiliated with the *Conciliation Internationale* of Paris, as is the American Association for International Conciliation which has its headquarters in New York. In similar fashion Mr. Bacon arranged for the formation of national societies of International Law to be affiliated with the American Society of International Law which has its headquarters in Washington.

As a result of the trip made by Mr. Bacon, the Division of Intercourse and Education is now actively engaged in arrangements for a series of undertakings



whose effect will be to make the peoples of the various American Republics better known to each other than has heretofore been the case.

This work is to be carried on through the American Association for International Conciliation, which has organized a Pan American Division for the purpose.

### **Relations with Japan and the Orient**

In return for the visit to the United States of Professor Nitobe, described in the last annual report (see Year Book for 1912, p. 71), Mr. Hamilton W. Mabie visited Japan during 1912-1913 as the representative of the Carnegie Endowment. Mr. Mabie, accompanied by his wife and daughter, sailed from San Francisco on November 15, 1912. Even before reaching Yokohama, wireless messages of welcome and greeting were received by them on shipboard. A distinguished escort met them at the dock on arrival and accompanied them to Tokio. All possible arrangements for their comfort had been made and both public and private hospitalities of every kind were showered upon them. Mr. Mabie delivered several courses of lectures on "American Ideals, Character and Life" at the Universities of Tokio and Kyoto. He also delivered a number of addresses before representative bodies in Waseda, Keio and the Doshisha, in the higher commercial colleges of Tokio and Kobé, in the Woman's University, in many high and normal schools and before clubs and general audiences. Altogether, Mr. Mabie delivered over eighty addresses in Japan, Korea and Manchuria.

Mr. Mabie points out in his admirable report that the people of Japan are sincerely friendly to the United States and most eager to understand the institutions and the spirit of our people. Japan is committed to the maintenance of international peace by historic tradition, by its own national ambitions, by the need of concentrating its forces on the development of its domestic resources as well as by the pressure of a large national debt and necessity for strengthening Japanese credit abroad.

The lectures delivered in Japan by Mr. Mabie have been published in a volume entitled "American Ideals, Character and Life" (New York, The Macmillan Co., 1913).

During the present year Dr. Shosuke Sato, Dean of the Agricultural College of the Northeastern University of Japan, is in the United States lecturing at a number of American colleges and universities in continuance of the policy of educational exchange begun by Professor Nitobe and Mr. Mabie. The general subject of Dr. Sato's lectures is "Fifty Years' Progress in Japan", and the specific topics dealt with are these:

From Old Feudalism to New Imperialism  
Local Autonomy and Constitutional Government

Finance; its Past and Present  
 Agricultural Credit and Rural Sociology  
 Comparative Economic Retrospect of Agriculture in Great Britain and Japan  
 Social Changes and Reforms since the Restoration  
 The Educational System and Religious Movements

In accordance with the arrangements which have been made by the Division of Intercourse and Education, Dr. Sato will meet the faculties and the students of the following important colleges and universities, widely distributed over the country:

University of Virginia	Yale University
The Johns Hopkins University	Columbia University
University of North Carolina	Ohio State University
Pennsylvania State College	Oberlin College
Massachusetts Agricultural College	University of Illinois
Clark University	University of Iowa
Brown University	University of Minnesota
Rhode Island State College	University of Wisconsin

### International Visits by Representative Men

One of the most important phases of the activity of the Division of Intercourse and Education is the promotion of international visits by representative men of influence and standing. The educational value of such visits is two-fold. In the first place the addresses delivered by the traveler in the countries that he visits bring to the people of those countries a closer and more intimate knowledge of the history, the culture and the ideals of the nation which the visitor represents. In the second place such a visitor brings back to his own home a wealth of similar information about other peoples, which information he usually imparts to his fellow citizens from time to time through the medium of interviews, addresses, articles in the newspapers and magazines, and books. The visit of Mr. Charles W. Eliot to China and Japan mentioned in the last annual report (see Year Book for 1912, p. 74) was finished on August 10, 1912. Mr. Eliot's very important and highly constructive report entitled *Some Roads Towards Peace* was made public in the autumn of 1913. A first edition of this report consisting of 5,000 copies was quickly distributed and in response to a continuous and wide-spread demand, a second edition of 25,000 copies was printed. It is not necessary here to summarize Mr. Eliot's report, but simply to say that his conclusions and observations are most helpful and that his specific recommendations deserve earnest and sympathetic study not only by the Trustees of the Carnegie Endowment, but by those charged with the administration

of other large funds some portion of the income of which might properly be used in satisfaction of the needs which Mr. Eliot so clearly points out.

A striking result of Mr. Eliot's visit was the request made by the Government of China through the Department of State that the Carnegie Endowment should nominate a suitable scholar to serve as technical adviser to the new Government in constitutional and administrative law. In response to this very flattering invitation, Frank J. Goodnow, LL.D., Eaton Professor of Public Law and Municipal Science at Columbia University, was designated. Professor Goodnow left New York for China in April, 1913, having undertaken to serve for three years in the important post to which he had been invited. Both from the public press and from Professor Goodnow's confidential reports it is plain that his advice has been most helpful to those charged with the building of a constitutional framework for the new Republic of China.

At the invitation of the American Bar Association, Viscount Haldane of Cloan, Lord High Chancellor of Great Britain, spent a few days in New York and Montreal toward the close of the summer of 1913 and delivered a striking address on "Higher Nationality" before the American Bar Association which met at Montreal, Canada, on September 1. Lord Haldane took occasion in this address to develop the notion to which he applied the familiar German word "Sittlichkeit" or ethical habit. His arguments and the exposition made a profound impression upon those who heard him. With Lord Haldane's consent his address was promptly printed and distributed throughout the world in large editions in several languages by the American Association for International Conciliation.

The custom and habit which has grown up between the leading universities of Europe and the United States of interchanging distinguished scholars and teachers, is one of the most potent influences of the present day for the promotion of the international mind and international spirit. In the United States foreign professors in considerable number are regularly received at Columbia University, Chicago University, Harvard University, Yale University, the University of Wisconsin, the University of California and elsewhere. The Roosevelt professorship of American History and Institutions at the University of Berlin is now thoroughly established and holds an assured place in the academic life of the world. The incumbent of this chair for the present year is Paul Shorey, Ph.D., professor of Greek in the University of Chicago. Recently by invitation of the Governments of Austria and Bavaria the system of an international exchange of professors has been extended to those countries. Plans are on foot to institute a similar interchange with the universities of Italy.

#### **Association for International Conciliation**

This most important agency in the work of the Division continues to develop and to gain steadily widening influence. The devoted and untiring service

of the Président Fondateur, Baron d'Estournelles de Constant, has served as an ideal and an inspiration to those charged with the oversight and direction of the work of branch societies in all parts of the world.

The *Conciliation Internationale* at Paris, the *Verband für internationale Verständigung* at Frankfort and the American Association for International Conciliation at New York have rendered full reports, including detailed financial statements upon the work during the past year.

The parent society in Paris is in close touch with the branch societies everywhere. Hardly any important international event takes place save with its co-operation and support. As a result of its contribution to the Franco-German Interparliamentary Conference, held at Berne in May last (see page 77), it may now be said with assurance that there are now important parties both in the Reichstag and in the French Chambers which stand definitely for international peace and for increased friendship between France and Germany.

The *Verband für internationale Verständigung* has succeeded in drawing to itself a large measure of support in all parts of Germany, including that of many very representative persons. The important and successful annual congress, held at Heidelberg in October, 1912, was followed by the still larger and more successful congress at Nuremberg in October, 1913. Through the efforts of its executive officer, Professor Dr. Nippold, many prominent Germans who are influential in the universities, in banking and mercantile pursuits and in the learned professions have begun to take an active interest in the work for the improvement of international relations.

The World Friendship Society, which is the British branch of the *Conciliation Internationale*, is under the competent direction of the Right Honorable Sir T. Vezey Strong, formerly Lord Mayor of London. Its first annual report, bearing date of July 4, 1913, indicates that the undertaking is successfully launched and is meeting with cordial support.

The American Association for International Conciliation is of increasing use to the Division of Intercourse and Education in connection with undertakings of various sorts for the instruction of public opinion. This Association also coöperates actively as to certain parts of the foreign work of the Division. During the year ended June 30, 1913, the regular monthly issue of the important and widely read publications of the Association averaged 80,000. Two special bulletins on subjects of contemporary interest were published in addition to the regular monthly issues. There is a continued increase in the demand for the documents published by the Association. This demand comes particularly from men and women interested in science, law, education, ethics, economics and government. A number of the documents have been translated and republished in foreign countries. The correspondence of the American Association already indicates that a marked change has taken place in public opinion in the United

States in regard to what may be called the inevitability of war as a factor in a nation's life. Frequently letters are received from persons who once held this view, stating that they have changed their minds and now believe international war to be avoidable by proper national conduct and by the institution of an international court of arbitral justice.

The Association has organized and carried on extensive lecture tours by speakers of reputation. Mr. Hamilton W. Mabie has lectured in thirty cities on our relations with Japan, laying particular stress on the observations made by him during his visit to that country a year ago. Mr. B. N. Langdon-Davies of London, a representative of the Garton Foundation, made an extensive and very successful tour throughout the United States, during the course of which he delivered more than sixty formal addresses on the principles developed in *The Great Illusion*, before educational institutions, trade and labor unions, chambers of commerce, religious bodies, clubs and other organizations. Mr. Norman Angell himself is now making a tour in the United States under the auspices of the Association, discussing the futility of war as a means of settling differences of opinion or of interest, and insisting upon its economic unwisdom. Dr. Dunbar Rowland, of Jackson, Miss., the Assistant Secretary of the Association for the Southern States, has been active in organizing small local circles in that section of the country, into which he has been successful in drawing men of high character and large personal influence. These men are able in times of public excitement to use their influence to guide local public opinion towards sound international policy and away from chauvinism.

As a result of the trip to South America of Mr. Robert Bacon, the following organizing secretaries have been appointed to establish branches of the *Conciliation Internationale* in their respective countries:

Dr. Helio Lobo, Rio de Janeiro, for Brazil  
 Dr. Benj. Garcia Victorica, Buenos Aires, for Argentine  
 Dr. Juan Bautista de Lavalle, Lima, for Peru

During the last fiscal year the allotments made to and through the American Branch of the Association for International Conciliation amounted to \$61,300, as follows:

For its main work of propaganda, including administration and publication expense, an annual subvention was made to the American Branch by the Endowment of...	\$23,500
Annual subventions for specific uses were made as follows:	
For payment to <i>Union Interparlementaire</i> , Brussels....	2,500
For payment to <i>Conciliation Internationale</i> , Paris.....	4,000
For payment to <i>Verband für internationale Verständigung</i> , Frankfort .....	6,000

For newspaper correspondence with Germany.....	\$500
During the year ending June 30, 1913, the following subventions were made for special purposes:	
For the purchase and distribution of important books of propaganda .....	1,800
For aid to International Congress of Students (Corda Fratres) at Ithaca, N. Y.....	3,000
For important lecture tours in the United States and for news digests .....	20,000

### Other Work in the United States

#### AMERICAN PEACE SOCIETY

For work through the various peace societies in the United States, the Division of Intercourse and Education is in coöperation with the American Peace Society of Washington. This is the oldest and strongest of the American organizations of its kind. In addition to the head offices in Washington, the American Peace Society now maintains five well equipped departments with administrative offices at Boston, New York, Atlanta, Chicago and Los Angeles. The society reports 27 Constituent Branches, 5 Sectional Societies and two Auxiliary Branches, having together a total of between six and seven thousand members regularly paying dues. The American Peace Society initiates and is responsible for the American Peace Congresses and maintains a lecture bureau, as well as distributes large quantities of literature to writers, speakers, colleges and libraries.

The journal of the society, *The Advocate of Peace*, appears monthly in editions of approximately 10,000. In addition, pamphlets and leaflets treating important phases of the peace movement are published and widely distributed. The demand for literature of this sort is constantly increasing. Local peace societies are being organized in various parts of the country. Plans have already been made for the creation of eight additional departments to oversee work in a territory at present unorganized but with a population of nearly 48,000,000. In order to carry out these plans the American Peace Society will need to be assured of a much larger income than it enjoys at present. Heretofore an annual subvention of \$31,000 has been granted by the Carnegie Endowment to the American Peace Society. From the annual report of the Society it appears that at least half of this amount has been allotted to various branch or sectional peace societies to aid them in the promotion of their work.

An important affiliated branch of the American Peace Society is the Intercollegiate Peace Association. This association, which is well organized, was represented in seven States in 1911; in eleven States in 1912; in sixteen States in 1913. It is now represented in about twenty-five States. The subvention of

\$1,200 which has been granted to this organization from the funds allotted by the Endowment to the American Peace Society is manifestly inadequate and it is to be hoped that those interested in the spread of the propaganda for peace and arbitration will not overlook the claims of this organization.

### Special Undertakings

#### COMMISSION OF INQUIRY ON THE BALKAN WARS

Public opinion in the United States as well as in Europe was shocked at the occurrences in the Balkan peninsula which took place in connection with the two desperate wars fought in the years 1912 and 1913. During the early summer of 1913 newspaper correspondents and others who were or had been at the seat of war, sent reports of most terrible outrages, acts in violation of the laws of war committed by various combatants. These reports were denied in whole or in part with equal emphasis and vigor. In view of the fact that the diplomatic history of the war and of the events immediately preceding it was by no means clear, and that the conflicting testimony as to outrages and other violations of the laws of war presented a real problem for solution, it was determined by the Division of Intercourse and Education, acting through the agency of the European Bureau, to appoint an international commission of inquiry to visit the Balkan States at once and to prepare a dispassionate and impartial report for the information and enlightenment of public opinion everywhere as to what were the real facts in connection with the two Balkan wars of 1912-13. The Chairman of the Advisory Council in Europe, Baron d'Estournelles de Constant, was invited to accept the presidency of the Commission of Inquiry, and the European Bureau was instructed to associate with him representatives of Austria, France, Germany, Great Britain, Russia and the United States. Owing to reasons of health and other conditions of a personal nature, some of those who were first invited to serve upon the Commission of Inquiry were unable to accept appointment. As finally constituted, the Commission was composed as follows:

Austria:	Dr. Josef Redlich, Professor of Public Law in the University of Vienna;
France:	Baron d'Estournelles de Constant, Senator; M. Justin Godart, lawyer and member of the Chamber of Deputies;
Germany:	Dr. Walther Schücking, Professor of Law at the University of Marburg;
Great Britain:	Francis W. Hirst, Esq., Editor of <i>The Economist</i> ; Dr. H. N. Brailsford, journalist;
Russia:	Professor Paul Milioukov, Member of the Douma;
United States:	Dr. Samuel T. Dutton, Professor in Teachers College, Columbia University.

It proved to be impossible for Baron d'Estournelles de Constant, Mr. Hirst and Professor Redlich, owing to other and pressing personal engagements, to accompany the Commission to the Balkans. These gentlemen all participated, however, in planning the work and they share the responsibility for the report which has been submitted. Professor Schücking was unavoidably delayed in starting and when he reached Belgrade the Commission had gone on to Salonica. While waiting at Belgrade, Professor Schücking was misled by the false reports that the Commission had given up its work and disbanded. He, therefore, to the great regret of his colleagues, returned home without joining the Commission in Greece. The remaining members of the Commission traveled at length through Servia, Greece and Bulgaria and gathered at first hand an immense amount of information which is described and summarized in their report. In some quarters there was suspicion for a time that the Commission had been appointed to serve a partisan end, but as the facts of its constitution and composition became known and as the judicial character of the inquiry became obvious, these suspicions were in large measure removed.

Without anticipating here the important report of this Commission of Inquiry, it may be proper to point out that perhaps for the first time in history the work of this Commission offers to the public the results of a scientific study of international war and its effects made almost before the smoke of battle had cleared away. The Division of Intercourse and Education is under heavy obligations to those who gave so freely of their time, thought and experience to serve the Carnegie Endowment in this emergency and they may well take pride in having shared in the formulation of a report that will long remain a monument in the literature of the movement toward more stable and kindlier international relations.

#### FRANCO-GERMAN INTERPARLIAMENTARY CONFERENCE AT BERNE

A very important meeting which the Division was glad to aid and support was held at Berne, Switzerland, on May 11, 1913. This was a conference of members of the French and German parliaments and was attended by about two hundred persons. The object of the gathering was to discuss in a friendly way matters of common interest to the peoples of France and Germany. Baron d'Estournelles de Constant, who was chairman of the French delegation, exercised large influence in organizing and conducting the business of the conference. The conference itself and the speeches there made were widely noticed in the public press of Europe and undoubtedly produced a marked impression. A formal resolution was adopted by the conference condemning national chauvinism of every kind and denouncing as criminal financial speculations on the part of manufacturers of war material through their influence in exciting national fears and jealousies.



This conference also gave warm support to the proposal of the Secretary of State of the United States that the nations of the world should enter into treaties by the terms of which they would agree to submit all differences hereafter arising between them to a commission for investigation and report, agreeing meanwhile not to resort to war until such reports had been rendered and studied.

It is difficult to exaggerate the importance and influence of a friendly meeting such as that held at Berne, participated in by members of the legislatures of two Powers of the first class. It is through just such amicable and almost confidential discussions of matters of general interest that public opinion will be created in opposition to war and to huge armaments and in favor of the methods of reason and morality.

#### NORMAN ANGELL'S BOOK, "THE GREAT ILLUSION"

Because of the novelty of the argument and the literary skill of Mr. Norman Angell's book entitled *The Great Illusion*, the Division has coöperated actively with the author and his representatives in various lands in bringing about the effective distribution of this book in cheap editions in several languages. In some European countries the book has been called to the attention of the reading public by effective newspaper advertising, the advertisements themselves being so drawn as to spread a knowledge of the ideas which the book itself contains. On June 30, 1913, there had been sold 11,000 copies of the German edition, 20,954 copies of the French edition and about 15,000 of the Italian edition. A Spanish edition of over 6,500 copies has been distributed free of charge to members of national and provincial legislatures, to government officials and to a selected list of public men both in Spain and in the Spanish-speaking American republics. Editions are in preparation in Japanese, Hindu, Chinese, Czech, Arabic and Bulgarian. An open letter descriptive of the book and its argument was widely distributed to professors and students in the universities of France and Germany. As a result of this letter, a number of clubs and organizations for the study of the book and its argument have been founded in those institutions, similar to those already existing at the Universities of Cambridge, London and Manchester.

In addition to the circulation of *The Great Illusion*, Mr. Norman Angell has himself delivered a large number of lectures in England, Germany, France and the United States in which he has enforced and driven home the arguments contained in his book. A small subvention has also been used for the purchase of 1,000 subscriptions to the new magazine of propaganda published in London under the title of *War and Peace*. These subscriptions are in the name of various societies, associations and individuals throughout Europe and America whom it is desired to interest in the arguments of *The Great Illusion*.

It is significant that in England alone over forty international polity clubs and study circles have been organized for promoting the study of international relations.

The correspondence of the Division of Intercourse and Education makes it plain that there has been a quick and sympathetic response throughout the world to the arguments contained in *The Great Illusion*. Mr. Norman Angell's own report contains a careful and itemized statement of expenditures, from which it appears that more than one-third of the work done in aid of the circulation of *The Great Illusion* has been done in German-speaking countries.

#### PANAMA CANAL TOLLS

A serious difference of opinion between our own Government and that of Great Britain arose in consequence of legislation proposing to exempt United States coastwise shipping from the payment of Panama Canal tolls. It was the almost unanimous opinion of the Trustees of the Carnegie Endowment that this legislation was in direct conflict with the Hay-Pauncefote Treaty. In any event, since a question had arisen as to the meaning of a treaty provision, it was plain that if the legislation in question was not repealed the matter at issue would in honor have to be submitted to an international court of arbitral justice. Under date of March 15, 1913, the following statement on this subject was issued to the public over the signature of twenty-two Trustees of the Carnegie Endowment:

#### STATEMENT OF MEMBERS OF THE BOARD OF TRUSTEES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE CONCERNING THE EXEMPTION OF AMERICAN COASTWISE VESSELS FROM TOLLS ON THE PANAMA CANAL

WASHINGTON, D. C., March 15, 1913.

The undersigned, members of the Board of Trustees of the Carnegie Endowment for International Peace, invite the attention of their fellow citizens to the following statement concerning the grave international discussion which has arisen over the exemption of American coastwise vessels from tolls on the Panama Canal:

On November 18, 1901, a treaty "to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans" was concluded between the United States and Great Britain, at the request and on the initiative of the United States. The essential provisions of the treaty were (1) that "the canal may be constructed under the auspices of the Government of the United States," and that "the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal"; (2) that "the canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality"; (3) that the plant for operating the canal and the canal itself shall be "neutralized," and shall enjoy complete immunity from attack or injury by belligerents; (4) that the United States shall be at liberty to maintain an adequate military police along the canal; and (5) that "no change of territorial sovereignty or of the international relations of the country or countries traversed by the beforementioned canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present Treaty."

The concluding of this treaty—commonly spoken of as the Hay-Pauncefote Treaty—was a necessary preliminary to the construction of any Isthmian canal by the United States or under its auspices; because by a previous convention between the same parties concluded in April, 1850, the United States and Great Britain had bound themselves that neither would "ever obtain or maintain for itself any exclusive control over" an Isthmian canal or "maintain any fortifications commanding the

same," or exercise dominion over "any part of Central America." The contracting parties further agreed to protect the canal from "interruption, seizure, or unjust confiscation," and to guarantee its neutrality.

This convention—commonly spoken of as the Clayton-Bulwer Treaty—made at the request and on the initiative of the United States, established the general principle of the neutralization of any Isthmian canal which might be constructed, a principle which the Hay-Pauncefote Treaty reaffirmed.

The great design of both treaties, that of 1850 and that of 1901, was to promote the construction and maintenance of a ship-canal between the two oceans, for "the benefit of mankind, on equal terms to all," and to protect the neutralized canal effectively when built. In urging on the British Government the making of the Clayton-Bulwer Treaty, the American negotiator said to Lord Palmerston: "The United States sought no exclusive privilege or preferential right of any kind in regard to the proposed communication [that is, a canal or railroad], and their sincere wish, if it should be found practicable, was to see it dedicated to the common use of all nations on the most liberal terms and a footing of perfect equality for all. That the United States would not, if they could, obtain any exclusive right or privilege in a great highway which naturally belonged to all mankind." This statement expresses accurately the avowed intention and resolve of the United States from 1850 to 1912 concerning any Panama Canal. All treaties on the subject are based on this intention and resolve, many times reiterated by official representatives of the American Government.

In the summer of 1912, Congress passed a bill fixing the tolls to be paid for passing through the Panama Canal—constructed by the United States and approaching completion—but added a section which exempted American coastwise vessels from paying tolls, thus giving American coasting vessels a privilege which no other vessels would enjoy, and diminishing the probable income of the canal in operation.

After an interval of several months, Great Britain has presented to the Government of the United States a protest against the exemption of American coastwise vessels on two principal grounds. First, that such an exemption is inconsistent with the provision of the Hay-Pauncefote Treaty that the canal shall be open to vessels of all nations on terms of entire equality; and secondly, that the exemption of American coastwise vessels would inevitably tend to increase the charges on all other vessels using the canal, to the disadvantage of all other nations in comparison with the United States, a disadvantage which might increase in the future, since the higher the rates the greater would be the privilege of exemption from paying them.

The British arguments are calm and free from exaggeration, and prove that the action of Congress in exempting American coastwise vessels from the payment of canal tolls involves a construction of the Hay-Pauncefote Treaty which is fairly open to question. A difference has arisen concerning the interpretation of a treaty.

On the 4th of April, 1908, the United States and Great Britain made another treaty in which they agreed that "differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July, 1899, provided nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties." The question whether American coastwise vessels shall pay tolls for passing through the canal can not possibly be said to affect either nation's vital interests or independence, or the "honor" of either of the two governments. Clearly, a difference relating to the interpretation of a treaty has arisen between two governments which have agreed to submit such differences to the Hague Court of Arbitration.

In a special sense the United States is bound to observe faithfully and without question the treaty of April, 1908; for the United States has been among governments the great advocate of arbitration, has practised it in important cases, and has urged it strongly on all other governments. The United States can not refuse to arbitrate the difference which has arisen concerning the proper interpretation of the Hay-Pauncefote Treaty, without turning its back on a very honorable chapter in its own history, and damaging throughout the world the cause of free institutions. The Republic ought to be the most scrupulous of all governments in the exact observance

of treaty obligations. It must be absolutely faithful to its word, even to its own hurt.

Assuming that the difference which has arisen concerning the construction of the Hay-Pauncefote Treaty must be arbitrated unless the cause of the difference can be withdrawn, we desire to urge on our fellow citizens the expediency of promptly repealing that action of Congress which gave rise to the difficulty.

Granting that some American shipping interests might be benefited by the exemption of coastwise vessels from canal tolls, since the term coastwise now includes voyages half round the globe, America surely has much larger interests which would be greatly served by the prompt abandonment of any interpretation of the Hay-Pauncefote Treaty against which Great Britain can enter a reasonable protest. The United States has an immense interest in the sanctity of contracts, and in the strict observance of all international conventions and treaties. It has an immense interest in the faithful observance of any treaty between two or more nations which has been entered into "for the benefit of mankind." It is true that in times past many treaties have not been strictly observed; that others have been suffered to lapse quietly; and that some have been violated by one or more of the parties, too impatient to wait for a new convention. Despotic and monarchical governments have often sinned in these respects, and republics have been accused of like conduct. All the more reason that the American Republic should do no act under a treaty which can be even questioned by candid and honorable men. In the efficacy of international agreements lies the chief hope of the world for progressive civilization.

The further promotion, in a method of uncertain value, of the interests of American coastwise shipping interests already protected by the possession of a complete monopoly as against all other nations, is a doubtful matter of commercial improvement. The whole country considered, the pecuniary advantage would not be large, and might easily be completely offset by accompanying disadvantages; but whatever advantage might come to this well-protected industry, it would be as nothing compared with the interests of the whole United States in carrying out the noble work of building a canal between the Atlantic and Pacific Oceans for the common advantage of all nations.

The greatest interest of the United States as a free nation is to represent worthily before the world the principles of civil and religious liberty and the public efficiency and well being which those principles develop, and thereby to promote the adoption of these principles the world over. This is a great material as well as a great moral interest. In comparison with this large interest, the interest of the United States in its coastwise vessels sinks into insignificance. By securing the repeal of that part of the act of Congress on the Panama Canal which provided for the exemption of American coastwise vessels from the payment of tolls, the American people would embrace a precious opportunity to prove that they understand their highest interest, and recognize their duty to promote it "for the benefit of mankind."

JOSEPH H. CHOATE  
ANDREW D. WHITE  
CHARLES W. ELIOT  
JOHN L. CADWALADER  
ELIHU ROOT  
LUKE E. WRIGHT  
CHARLEMAGNE TOWER  
R. S. WOODWARD  
AUSTEN G. FOX  
J. G. SCHMIDLAPP  
ROBERT S. BROOKINGS

OSCAR S. STRAUS  
SAMUEL MATHER  
JAMES L. SLAYDEN  
CHARLES L. TAYLOR  
HENRY S. PRITCHETT  
WILLIAM M. HOWARD  
CLEVELAND H. DODGE  
ROBERT A. FRANKS  
NICHOLAS MURRAY BUTLER  
ARTHUR WILLIAM FOSTER  
JAMES BROWN SCOTT

Over 1,200,000 copies of this statement were distributed in printed form to newspapers, chambers of commerce, boards of trade, patriotic societies, legislators, diplomats, professional men and women and other individuals. There is abundant evidence that this work of active propaganda, taken in connection with similar work by a large portion of the press and by other bodies and individuals,

undoubtedly influenced and educated public sentiment. The President of the United States has let it be known that his view of this vitally important matter is in agreement with that contained in the public manifesto printed above. There is every reason to believe, therefore, that within a reasonable time the provision of law by which it is proposed to exempt American coastwise shipping from the payment of Panama Canal tolls will be repealed and the matter thereby adjusted to the entire satisfaction of those who have at heart the great interests which the Carnegie Endowment is established to promote.

#### CENTENARY OF THE TREATY OF GHENT

A very important national committee for the celebration of the 100th anniversary of peace among English-speaking peoples was organized in February, 1910. The object of this committee was to arrange for a proper and adequate celebration of the approaching centenary of the ratification of the Ghent Treaty and to emphasize the lesson taught by the one hundred years of resulting peace. In view of the fact that a century of peace between France and all English-speaking countries will also be completed in 1915, since no war has occurred between England and Germany for a century and a half, and since the peaceful relations between Germany and America have never been interrupted, it is proposed to invite not only France and Germany, but also the other nations of the world that have contributed largely to the present population of the United States to take part in the celebration. National, local and other committees have been formed to carry into effect the plans that have been projected. The Carnegie Endowment has given support and encouragement to the undertaking.

In May, 1913, a distinguished delegation from Great Britain visited the United States to confer in regard to the details of the approaching celebration and was entertained by the American Committee in New York, Washington and elsewhere. During this visit the foundation was laid for cordial coöperation between the British and American Committees and there is no reason to doubt that the plans for the celebration will now go forward successfully.

#### CORDA FRATRES

Because of the importance of the Eighth International Congress of Students, held under the auspices of the organization known as "Corda Fratres", a special subvention of \$3,000 was granted to it, payable through the American Association for International Conciliation. The congress was held at Cornell University, Ithaca, N. Y., during the summer of 1913 and was attended by 200 representatives coming from thirty countries. The congress brought together from all parts of the world a large number of leaders of student opinion who are now openly committed to the cause of international peace and arbitration and who it is believed will continue to work for their accomplishment.

## ARBITRATION TREATIES

From the viewpoint of the international prestige of the United States it is unfortunate that the arbitration treaties with various nations were not renewed or extended promptly upon their expiration. The Government of the United States has so long been a leader in the movement to substitute judicial methods for the use of force in the settlement of international difficulties that it produces a painful impression both at home and abroad when, either through misunderstanding, maladroitness or sheer wrong-headedness, important engagements are not renewed and strengthened.

The President of the United States and the Secretary of State have formulated an important proposal that the nations of the world shall enter into an agreement not to resort to international war until a commission of inquiry has been appointed to investigate and report upon any dispute which ordinary diplomatic procedure can not adjust. Inasmuch as lapse of time is the best possible cure for national bad temper and excited national feeling, the importance of this proposal is obvious, particularly as applied to differences of opinion and disputes between two nations of approximately the same rank and strength. It is understood that this proposal has been accepted in principle at least by more than thirty nations and that treaties putting it into effect will be quickly negotiated and ratified.

The strength of a treaty is precisely the strength of the public opinion that lies behind it. If the public opinion of a people is alert, instructed and determined to live up to every treaty obligation then a treaty becomes a document of exceptional significance and vitality. If, however, a treaty is entered into with indifference and lack of conviction and if it rests upon nothing but passing sentiment, it will furnish but a broken reed to lean upon in time of international difficulty and dispute. Therefore, the main purpose of the activity of this Division is not so much to secure and to support international treaties of arbitration as to provide such treaties, both those which already exist and those which may hereafter be entered into, with a firm foundation to rest upon in a convinced and determined public opinion.

**In Memoriam**

During 1913 the Division has sustained a great loss in the death of four members of the Advisory Council in Europe: The Right Honorable Baron Avebury of England, Baron Carl Carlson Bonde, of Sweden, who was also a member of the European executive committee, Señor Don Segismundo Moret of Spain, and Dr. E. N. Rahusen of Holland. The Executive Committee has placed on record an expression of its sorrow at the loss of these distinguished colleagues and an appropriate expression of sympathy has been tendered to the bereaved families.

### General Recommendations

The experience of three years indicates that the Division of Intercourse and Education is organized on sound and proper lines, that its influence is already world-wide and constructive, and that it is fortunate in possessing the coöperation and willing service of some of the first minds in the world. The appropriations made for the work of the Division have been generous and they have been husbanded with the utmost care. The salaries paid to those officers who give their entire time to the work of the Division and who are dependent upon it for their livelihood are in every case much smaller than would be paid for similar service in connection with any ordinary business undertaking. Moreover, experience proves that each year emergencies present themselves that can not be foreseen when the budget for the fiscal year is proposed and adopted.

Still another means of reaching and affecting the opinion of hundreds of thousands of persons which might be undertaken at a relatively small expenditure is the use of the moving picture films that have become a well recognized form of entertainment and of industry throughout the world. It is estimated that the average weekly attendance in the United States at entertainments where moving pictures are shown is considerably over eighty millions and that in Europe the number is equally large. There here lies ready to hand a well organized and most effective agency for reaching the masses of the people in a way that holds the attention and appeals to the imagination of the most uninstructed and the most unreflecting. It would not be difficult to plan and manufacture several series of films suitable for use in moving pictures that would be very effective arguments against international war and in demonstration of the national and economic blessings that follow in the train of peace.

If matters like this are to be dealt with as they arise and if they are to be dealt with freely, boldly and constructively, there should be at the service of the Division of Intercourse and Education an allotment of considerable size in the form of an emergency fund to be drawn upon to meet the case of such undertakings as have been described.

It is worth considering, therefore, whether if all the current work of the Endowment as now provided for in the budget is to go forward statedly, an attempt should not be made to secure a considerable addition to the permanent funds of the Endowment with a view to making it possible for the Trustees to appropriate for the Division of Intercourse and Education an additional emergency fund sufficient in size to enable pressing problems to be met and solved without delay and without necessity of assembling a large company of busy men from all parts of the United States.

In the past one of the chief exercises of organizations whose purpose was to promote the cause of peace and arbitration has been the calling of public meetings, the passing of resolutions and the issuing of declarations of principle

and of purpose. All these forms of activity the Division of Intercourse and Education leaves to other agencies. It has marked out for itself a path of constructive work for the education of public opinion throughout the world. This path is a long and stony one but it is also the path which leads to a sure and a permanent result. When its end is reached the civilized nations of the world will be at peace because they are convinced of the righteousness and the economic value of peace. *Si vis pacem, para pacem!*

NICHOLAS MURRAY BUTLER,  
*Acting Director of the Division of  
Intercourse and Education.*

NEW YORK, March 17, 1914.





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# **DIVISION OF ECONOMICS AND HISTORY**

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## **REPORT OF THE DIRECTOR**

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**DIVISION OF ECONOMICS AND HISTORY**  
**REPORT OF THE DIRECTOR**

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**TO THE EXECUTIVE COMMITTEE:**

The Division of Economics and History has been engaged during the past year entirely in carrying out the plan of research prepared at the Conference held at Berne in 1911. As a result of studies directed by the European and American members of the Conference, now called the Committee of Research, we have received thirty-nine works in manuscript form, of which ten are now going through the press. In addition to this, contracts have been made for sixty. In Japan a committee of five scholars, under the direction of Baron Sakatani and Professor Ogawa, has undertaken to prepare a series of works on subjects chosen with especial reference to conditions in their own country and in the northern part of the Chinese Empire; and in China itself, under the supervision of Professor Reinsch two more works on oriental problems are in preparation. Of works in foreign languages a few have been translated into English and others are in process of translation. In all, this Division has, in completed form or in process of preparation, ninety-nine works, the subjects of which are stated in the Appendix of this report. A large majority of the contracts which have been made for the preparation of works call for the completion of the manuscripts before January 1, 1915.

One very great outlay, which has from the first been foreseen, is about to become necessary, namely, the outlay involved in publishing works which will be delivered to us during the present year. It is probable that more manuscripts will be delivered to us for publication during the coming year than during any subsequent one.

**A Second Conference**

Three years have now passed since the Conference called by this Division met at Berne, and it is the unanimous opinion of the members that another meeting is now needed. Large as is the program prepared at the first meeting, we have the promise of at least one work on every topic except two. Because a large number of these studies are confined to local areas there is need of similar studies elsewhere. The facts revealed in a single country do not teach their full lesson until corresponding facts are presented from other countries. It would be possible to work with great profit for three more years entirely within the field of the report mapped out by the first Conference. If we followed that plan,

however, we should not be working at the best advantage and with the promise of the largest results, and it is therefore desirable to undertake studies which are beyond the range of our present program, and also carefully to select the subjects within that program which may be studied with most advantage for the purpose we have in view.

### Work to be Undertaken

One leading purpose of the work about to be undertaken is, in the Director's view, to render the studies in the field already occupied, as well as in new fields, practically effective. Economic conditions afford a basis for the dealings of nations with each other. It is entirely possible, in the case of any two countries, to adopt policies that are mutually beneficial and to lay a firm foundation for international friendship. Commercial and financial policies may be so shaped as to confer common benefits where at times mutual injuries are suffered. Problems of colonization; of emigration and immigration; of the treatment of aliens within the territory of a state; all of which present somewhat critical international issues, arise in consequence of the economic conditions of the different lands and are capable of being solved in an intelligent way only after a study of those conditions. Statistics and applied economics may furnish a sound basis for the foreign policy of a government.

### The Work in South America

It is a fact that the people of the United States as a whole desire nothing but independence and prosperity for the whole of Latin America. They are inspired by a marked good will toward their southern neighbors. An earnest study of the best way to promote their prosperity, while deriving reflex benefits from it, would be an effective way of demonstrating the friendly feeling toward the peoples of Central and South America, and it is the expectation of the Director of this Division that, through the efforts of Professor David Kinley, such studies will be initiated. It is his intention to undertake studies tending to show what policies would be mutually beneficial to the United States and to each of a large number of Latin American republics. If possible he will visit South America with this plan in view, and a competent scholar expects to make a prolonged stay in Central America for a similar purpose. The studies thus carried on in this hemisphere will complement those of the same kind undertaken in Europe and the Far East.

JOHN BATES CLARK,  
*Director of the Division of Economics and History.*

NEW YORK, *March 17, 1914.*

# APPENDIX I

## Works Completed

MEMBER IN CHARGE OF WORK	AUTHOR	TITLE OF WORK
Gide	Dumas	The economic effects of the right of capture.
Westergaard	Drachmann	Protectionist and industrial history of the three Scandinavian Countries.
Philippovich	Drachovsky	Foreign loans in Austria.
Westergaard	Kellogg	Military selection and race deterioration.
.....	Johnson	American labor and war.
Borel	Geering	The influence of the German-French War in the year 1870-71 upon the economic conditions of Switzerland.
Philippovich	Grunzel	The economic productive trade policy, its origin and motivation, its management and effect on the relations between nations.
.....	Bernstein	The attitude of the trade unionists and the socialists toward war and armaments, in general.
	Dewinne	The attitude in Belgium.
	Daszynski	The attitude in Poland.
	Stauning	The attitude in Denmark.
	Vidnes	The attitude in Norway.
	Nieboer	The attitude in The Netherlands.
	Fischer	The attitude in Germany.
	Macdonald	The attitude in the United Kingdom of Great Britain and Ireland.
	Picker	The attitude in Russia.
	Lederer	The attitude in Austria.
	Iglesias	The attitude in Spain.
	Trevisonno	The attitude in Italy.
	Nogueira	The attitude in Portugal.
	Sakasoff	The attitude in the Balkan States.
	Lee	The attitude in America.
	Chasanowitsch	The attitude in the South American Republics.
	Ronanet	The attitude in France.
	Lang	The attitude in Switzerland.
.....	Johnson	An historical sketch of the organized peace movement in America.
Westergaard	Bodart	The losses of life, caused by the wars of Austria-Hungary and France.
Westergaard	Prinzing	Epidemics as a sequel of wars.
Hirst	Bellet	Modern armaments and armament industries in France.
Hirst	Giretti	The growth of armaments in modern Italy and of armament industries.
Hirst	Hamilton	Armaments and armament industries in Great Britain.
Hirst	Neumann	The growth of armaments in modern Austria and of armament industries.
Hirst	.....	The growth of armaments in modern countries—in Turkey and the Balkan States.
Hirst	Persius	The growth of armaments and armament industries in Germany.
Hirst	Young	The growth of armaments and armament industries in Japan.
Hirst	Yasnopolsky	The growth of modern armaments and armament industries in Russia.
Hirst	Willis	The growth of armaments and the position of armament industries in the United States.
Gide	Girault	French colonial customs policy.
Brentano	Gerloff	Military budgets from 1872, etc., plus the burden of armaments in recent times. For the German Empire.

**APPENDIX II**  
**Works Now Under Contract**  
**COMMISSION I**

TOPIC	SUBJECT AND COUNTRY TREATED	MEMBER	COLLABORATOR
1	General considerations of the causes of wars in recent times.	Philippovich	Ferrero
1	History of the causes of wars in newer times for Austria and France.	Philippovich	Bodart
2, b	Influence of the national idea and of the economic protective policy of Austria Hungary on the relation between the Monarchy and the Balkan States.	Philippovich	Slokar
2, b	Protectionist system in its relations with the great armaments and to the actual war spirit of the world.	Luzzatti	Luzzatti
2, b	Protectionist policy in Austria, its origin and development.	von Wieser	Schüller & Cokorac
2, d	Rivalry among the great European powers with regard to capital investments in Turkey.	Philippovich	Kaufmann
3	The Society of Friends: war and peace.	Paish	Miss Hirst
3	Attitude of anarchists and syndicalists toward war and armaments.	Gide	Delaisi
3	Chinese theory in regard to war and peace.	Reinsch	Chen Huan-Chang Johnson
5	Attitude of the business classes of the United States toward war and peace.	.....	
7, ab II, 5, 6	Military conditions in The Netherlands.	Greven	Tasman
9, 10, 11, 13, 14	The Balkan wars in the years 1912 and 1913.	Brentano	Bajkics
9, 10, 11, 13, 14	The effects of the Balkan wars on Austria Hungary with special regard to Serbia, Bulgaria, Roumania, Russia, Montenegro, Albania, Italy, Germany and Switzerland.	Philippovich	Neurath
9-11, 13, 14	Same as above for another year.	Philippovich	Drachovsky
9; II, 10	General classification of war loans.	Philippovich	Marek
9; II, 10	History of Austrian war loans in the Nineteenth Century.	Philippovich	
9	War loans provided by neutral countries; their extent and influence on recent warfare.	Brentano	Raffalovich
9	War loans in neutral countries; their importance and their influence on wars in modern times; Switzerland.	Borel	Landmann
10	The effects of the Balkan war in sociological and juridical respect with reference to Albania.	Westergaard	Ehrlich
10 a-c	Effects of war on the economy of the Scandinavian countries.	Westergaard	Cohn
10 a-c	Losses and gains in war from view of private economic interests. In Germany.	Brentano	Möller
10, c	Effects of wars upon the world's supply of provisions and raw materials with special reference to France.	Gide	de la Pradelle
10 b, d	The economic development of Switzerland as a neutral state, under the influence of the wars between neighboring states, from Thirty Years' War.	Borel	Geering
10, d, e	War and order of life. The liquidity, productivity and rentability of the wealth of nations in case of war.	Philippovich	Neurath
10, a-c			
11	Sickness and mortality in the French army.	Gide	Faure
11	Losses of life as a result of war. Switzerland.	Westergaard	Dumas
11	Preliminary statistical studies in Old Serbia.	Westergaard	Neurath
12	Banks in time of war, especially in France.	Gide	Lescure
13, 14	Annexation of Bosnia, its causes and effects.	Philippovich	Slokar
14	The influence of Dutch rule upon the economic and social life of the natives in the Dutch East Indies during the Nineteenth Century.	Greven	Nieboer
16	The Open Door Policy.	Reinsch	Hornbeck
16	Special research work on the development of the Open Door Policy.	Reinsch	Wallace

## COMMISSION II

TOPIC	SUBJECT AND COUNTRY TREATED	MEMBER	COLLABORATOR
2	The growth of armaments and its causes.	Hirst	Reid
5	French military budgets since 1872.	Gide	Picard
5	Marine budgets from 1872, distinguishing ordinary from extraordinary expenditures; the burden of armaments in recent times. For the German Empire.	Brentano	Gerloff
6	Financial burden caused by armaments in recent times in Austria Hungary.	Philippovich	V. Kesslitz
6, e	Federal military pensions in the United States.	Kinley	Glasson
6, f	Ratio between the total income of the Austrian and Hungarian population and the total expenditure on armaments.	Philippovich	Fellner
7	Financial, economic and moral influence of the military system in Switzerland.	Borel	Steiger
8, a, b	Economic effects of withdrawing young men from industrial pursuits into the army and navy, especially mercenary troops.	Brentano	Landsberg
9	Influences of changes in the occupations of a people upon the composition and efficiency of armies and influence of the changes in the composition of armies and the economic life. For Germany, Austria and Switzerland.	Brentano	Kuczynski
10	War loans and State finances. Austria.	Philippovich	Stiassny
11	Technical development of the industries of war, their present state and their effect on the promotion and encouraging of other industries in Austria Hungary.	Philippovich	Tobisch



## COMMISSION III

TOPIC	SUBJECT AND COUNTRY TREATED	MEMBER	COLLABORATOR
1	The unifying influences of international life under the title, "La Paix, ses conditions et son organisation."	La Fontaine	de Greef
1, 2, 3	International relations of Austrian economics in the first part of the nineteenth century.	von Wieser	Pribram
2, 4, b	Development of the international relations of the Austrian cotton trade.	von Wieser	Berels
2, 4, b	International relations of Austrian manufacturers.	von Wieser	von Mises
2, 4, b	Development of the international relations of the Austrian petroleum trade.	von Wieser	Crombach
3, 4	Possible conditions of reciprocity between the United States and the countries of South America.	Kinley	Taussig & Martin
4, b	The development of the international relations of the Austrian sugar trade.	von Wieser	Weiss
4, b	Development of the international relations of the Austrian iron trade.	von Wieser	Drucker
4, b-c	The productions of Germany and extent to which they are retained for home consumption or are exported; the consumption of Germany and the extent to which the various articles are supplied for home productions or are imported.	Brentano	Losch
4, b, c	Productions of the Scandinavian countries.	Westergaard	Jensen
7	Austrian money market as influenced by the money markets of the world.	von Wieser	Steinitzer
8	Unifying effects of the improvement and extension of all means of communication.	La Fontaine	Marinus
8	Austrian transport system as influenced by the international relations of Austrian economics.	von Wieser	Klofetz
9	Austrian labor and laborers and the international relations pertaining thereto.	von Wieser	Deutsch
<b>SPECIAL</b>			
Special	Austrian civil law as influenced by the international relations of Austrian economics.	von Wieser	Bartsch
Special	Taxation laws as influenced by the international relations of Austrian economics.	von Wieser	Grünwald
Special	A study of the economic, social and political conditions prevailing in Central America with special reference to Nicaragua and Costa Rica, with a view to ascertaining the nature of the forces that contribute toward or hinder the development of domestic peace and international harmony.	Kinley	Munro

## APPENDIX III

**Works in Preparation in Japan Under Direction of Baron Sakatani  
and Professor Ogawa**

1. Historical investigation of the causes of Chino-Japanese War (1894-1895) its expenditure, its effects upon national economy, etc.
2. Historical investigation of the causes of Russo-Japanese War (1904-1905), its expenditure, its effects upon national economy, etc.
3. History of conscription law in Japan, and its effects upon economy.
4. Historical and statistical view of war loans and loans raised for the purpose of armaments in Japan.
5. Historical and statistical view of war expenditures and expenditures for armaments in Japan since 1868, their effects upon economy, etc.
6. Historical and statistical view of war taxes and taxes for the purpose of armaments in Japan since 1868, their effects upon economy, etc.
7. Development of industries for manufacturing war materials and for building warships in their relation to other industries in Japan.
8. Competition of railway contracts and of mining in China between the people of different powers.
9. Historical view of banking policy in China of different powers.
10. Historical and statistical view of foreign loans in China.
11. Historical and statistical view of indemnities paid by the Chinese Government.
12. History of land leased by foreign powers in China and declaration of non-cessation of specified parts of the territory by the Chinese government, etc.



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# **DIVISION OF INTERNATIONAL LAW**

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## **REPORT OF THE DIRECTOR**

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**DIVISION OF INTERNATIONAL LAW**  
**REPORT OF THE DIRECTOR**

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TO THE EXECUTIVE COMMITTEE:

I have the honor to present the following report of the activities of the Division of International Law covering the period since November 12, 1912, and indicating the requirements of the Division for the fiscal year beginning July 1, 1914, and ending June 30, 1915. In addition, the Director has deemed it advisable to submit preliminary reports on various projects, for which, however, no appropriations are requested at this time.

**Consultative Committee of the Institute of International Law for the  
Division of International Law**

This Committee convened at Oxford on August 1, 1913, and held meetings on that day, as well as on August 2 and 3. The meetings were attended by Messrs. von Bar, Fusinato, Hagerup, Holland, Renault, Albéric Rolin (members of the Committee) and the Director of the Division of International Law of the Carnegie Endowment. The major part of the time at these three meetings was devoted to the preparation of draft regulations to govern the relations to be established between the Endowment and the Institute of International Law. The discussions bore particularly upon the questions of the manner of selecting the members of the Consultative Committee, how matters should be brought before the Committee, quorum, substitute members, expenses, the ratification by the Institute of the opinions expressed by the Committee, etc. The draft regulations, as agreed upon by the Committee August 3, 1913, were submitted to the Institute at its meeting of August 6 and were thoroughly discussed on that date, at the afternoon meeting of August 8, and at the morning meeting of August 9. This discussion resulted in the acceptance by the Institute of the eight articles as drafted by the Committee, with the exception of Article 3 relative to the number of members and their terms of office. The regulations as agreed upon are as follows:

*Regulations in Respect to the Relations to be Established between the Carnegie  
Endowment and the Institute of International Law*

ARTICLE 1. The Institute of International Law, confirming the resolution which it adopted at Christiania under date of August 26, 1912, accepts the functions of General Adviser of the Division of International Law of

the Carnegie Endowment. In consequence of this acceptance it has formed a special Consultative Committee, to which it delegates, under the conditions hereinafter specified, the performance of the said functions.

ART. 2. The Consultative Committee for the Carnegie Endowment shall be composed of ten members, together with the secretary general of the Institute, who shall act as its president.

The Committee shall appoint a vice-president.

There shall be, moreover, a secretary appointed by the president.

ART. 3. The nine members who are first elected shall retire from office as follows: the first third at the end of two sessions, the second third at the end of four sessions, the third third at the end of six sessions, retiring in an order to be determined by drawing lots immediately after the first election, and the Institute shall proceed to replace them. They are not immediately reëligible. Members newly elected at any session other than the first shall hold office for two sessions and shall not be immediately reëligible. In case a member should retire, for any reason whatever, before the expiration of his term, the vacancy shall be filled the first session following, for the remainder of his term.

ART. 4. The Committee is convened by its president upon the request of the Director of the Division of International Law of the Carnegie Endowment.

Its resolutions are adopted by an absolute majority of the members present. A quorum of six members is necessary to make its deliberations valid.

The Committee can ask the Director to attend a session in order to give explanations relative to the questions on the program; on his part, the Director can ask permission to attend the sessions of the Committee.

ART. 5. The Committee can be consulted upon all questions of interest to international law, which are of a kind to promote its theoretical and practical development, as well as its exact observance. In matters of this nature it can offer such suggestions to the Executive Committee of the Carnegie Endowment as it may deem advisable.

ART. 6. According to the nature of the case, the Committee gives its opinion directly to the Carnegie Endowment or decides whether there is occasion to consult the Institute, either in plenary session, or in administrative session.

ART. 7. The president of the Committee communicates to the Carnegie Endowment, through the Director of the Division of International Law, the resolutions adopted by it. The secretary general takes them up in his report to the Institute at every session.

If, at the request of the Committee, the question is laid before the Institute, the secretary general communicates the resolution adopted to the Endowment.

ART. 8. The expenses caused by the meetings of the Committee, including traveling and hotel expenses of its members, shall be borne by the Institute.

In the afternoon meeting of August 9, the Institute proceeded to the election of the nine members who, in addition to the secretary general and the president

of the Institute, should form the Consultative Committee for the Endowment. A ballot resulted in the election of Messrs. von Bar, Fusinato, Gram, Hagerup, Holland, Lammasch, Lardy, Renault and Vesnitch. A drawing of lots then took place for the purpose of determining the order in which the members of the Committee will retire, in conformity with Article 3 of the regulations. The following was the result of the drawing of lots:

First group retiring: Messrs. Fusinato, Holland and Vesnitch.

Second group retiring: Messrs. von Bar, Gram and Lardy.

Third group retiring: Messrs. Hagerup, Lammasch and Renault.

It will be observed that all the members elected to the Consultative Committee were members thereof the preceding year. (Year Book for 1912, p. 106.)

The rest of the time of the Consultative Committee, in its sessions above referred to, as well as in its meeting of August 28, 1913, held at The Hague, was devoted to consideration of questions upon which its views and advice were requested by the Director of the Division of International Law. The first of these questions thus brought to its attention concerned the encouragement to be given to reviews devoted to private international law. The Committee, with one exception, expressed itself as favoring encouragement for such reviews, on the general ground that the essential object of the Endowment is the improvement of international relations, and this improvement should apply not only to the relations between states but to the relations between individuals as well. The Committee took a similar stand with respect to the second question, which concerned the usefulness of the study of comparative legislation and the desirability of encouragement thereto, on the part of the Endowment, similar to that recommended for private international law. The opinion was expressed that subventions should be granted only to the best reviews of international law and comparative legislation.

The subject of the Academy of International Law at The Hague was also discussed, especially in respect of the two questions of the student body of the Academy and of the participation of governments in the working of the institution. The Committee concurred unanimously in favoring the establishment of the Academy.

The Director also brought to the attention of the Committee the question as to whether the Endowment should favor or should not favor the establishment of national societies of international law, by relieving them from the burden of some of their expenses. A fear was expressed that the creation of national societies of international law might prove dangerous if the societies were inclined to view international questions from the national point of view. The Committee agreed in declaring itself in favor of the organization of national societies, whose object it is to seek to develop international law.



### **The Academy of International Law at The Hague**

The installation of an Academy of International Law in the Hague Peace Palace has been a favorite project not merely of partisans of international peace, but of enlightened publicists, irrespective of nationality, and the Director is happy to inform the Trustees that arrangements were made on January 12, 1914, for its establishment; that it was incorporated at The Hague on the 27th of the same month; and that arrangements have been made with the authorities of the Peace Palace and with the Dutch Government for its formal opening in the month of September of the present year. The Director has been an outspoken partisan of the Academy since its creation was proposed at the Second Hague Peace Conference in 1907, which he had the honor of attending, by Mr. Demetrius Sturdsa, at that time Prime Minister of Roumania, and each report of the Division of International Law has discussed the project and the progress made toward its realization. It will therefore not be necessary in this connection to dwell upon the origin and nature of the proposal or to recount its progress in detail. (See Reports of the Director, Year Books for 1911 and 1912, pp. 109-115 and 111-120, respectively.)

It may be said, however, that an appropriation for the Academy was made by the Board of Trustees at its annual meeting on December 14, 1911, but that the Executive Committee, while approving in principle, was unwilling to commit itself to the project and to allot the subvention, unless it could be assured that there was an international demand for such an Academy, and that a proper student body would attend. As the result of negotiations extending over a period of two years, during which time the establishment of the Academy was recommended by the Consultative Committee of the Institute of International Law, by the Institute itself and by the International Law Association, the late Mr. Asser of the Netherlands, received and sent to the Director of the Division, communications from some forty of the best known publicists of the world from different countries heartily approving the Academy, and the Dutch Minister for Foreign Affairs, who had communicated with foreign governments through diplomatic channels in order to see what support they would extend to the Academy, reported that some twenty governments had replied favorably, and only one unfavorably. In view of this showing, the Executive Committee at its meeting on October 20, 1913, authorized the Director of the Division to proceed upon consultation with the Consultative Committee of the Institute of International Law with the organization of the Academy, and placed funds at his disposal in order to carry out the project.

Pursuant to this action of the Executive Committee, the Director attended a meeting of the Consultative Committee of the Institute of International Law and of the Dutch Committee having the matter in charge, held at The Hague January 10-12, 1914. As a result of this meeting and after very careful and elabo-

rate discussion, and upon the unanimous recommendation of the Consultative Committee, a majority of whose members were present and took part in the discussion, the statutes were drawn up, recommended to the Endowment, and accepted by the Director on behalf of the Endowment. This document is appended to the present section.<sup>1</sup> Although it speaks for itself, it is believed that for the sake of clearness a brief analysis should be made of it.

The title of the institution is the Academy of International Law of The Hague established with the coöperation of the Carnegie Endowment for International Peace, and, as stated in the first article, it is to be installed in the Peace Palace. The nature, extent of instruction to be given, as well as the methods to be employed, and the difference between the Academy and other institutions in which international law is taught, are pointed out in the second and third articles. The Academy is to be "a center of advanced study of international law, both public and private, and of related sciences"; that is to say, it is not to compete with the faculties of other institutions, in which only the elements of international law, public and private, or related subjects, are taught. In the next clause of the same article, the purpose of the Academy is stated and the nature of the instruction determined. Thus, questions concerning the legal relations between nations are to be exhaustively and impartially treated. That such questions should be thoroughly and scientifically presented follows from the fact that the Academy is a center of higher instruction; but as important, if not more important, is the fact that the instruction should be impartial, for, although international law is in name international, we know only too well in fact that the instruction is often made to subserve national ends. It was wisely determined to state the impartial character of the instruction in the very first article dealing with this question. In the third paragraph it is stated that the instruction will be given by means of courses, lectures, and seminars by the most competent authorities of different nationalities. The purpose of this provision is, in so far as different nationalities are concerned, "to make assurance doubly sure" that the subjects treated would be expounded from different points of view, which is necessarily the case when publicists of different nationalities are selected; for, as previously suggested, a professor or lecturer does not cease to be a citizen of his country or to share its antipathies merely because he deals with international law. The fact that no two professors or no two lecturers or no two directors of the seminars will be chosen from one and the same country during the same term is in itself a guarantee that the students attending the Academy will have the subject-matter of instruction laid before them in its various aspects. In this respect the Academy is unique.

While the second article states in general the purpose of the Academy to be to examine profoundly and impartially the legal relations between states, that is to say, international law in all its parts—the third article goes into details

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<sup>1</sup>Page 106.

and indicates, it is believed, in clear and unmistakable terms the subjects with which such an Academy should be chiefly concerned; that is to say, a theoretical and practical exposition of what may be called international legislation and international jurisprudence as the result of international conferences and of arbitral awards. International law is generally taught from the standpoint of theory; but it is believed that these phases of the subject are either overlooked or are not dwelt upon in sufficient detail, at least it can not be said that the instruction is approached from this point of view. The scope of the Academy is, therefore, very broad; for not merely international law, public and private, will be considered, but also related sciences; theory and practice are to go hand in hand, not divorced from one another; and the immense importance to international law of international conferences and arbitral decisions is to be duly appreciated. In this respect, therefore, the Academy is unique, and it is perhaps no rash prophecy to assert that persons interested in the Hague Conferences and their results and in the arbitral decision of international disputes, will appreciate the opportunity to enroll themselves in the Academy. There is, however, another point of view from which the Academy is unique. It is to offer its courses from July to October of each year, so that, as far as European universities are concerned, it is not a competing institution, as it does not seek to draw students from them, but to offer students opportunities which they would not otherwise enjoy during what is ordinarily considered as vacation.

It may be that it will be difficult to secure the services of competent professors and lecturers, but, as the leading publicists of the world, irrespective of nationality, have declared themselves in favor of the institution, it is to be presumed that they will be willing to coöperate in making it a success. A great deal must necessarily depend upon the personnel of the body to which the selection of professors and teachers is entrusted, and in this matter the provisions of the statutes can not be too highly commended. This body is termed the Curatorium, and it prepares a program for the Academy, invites the professors and lecturers, determines their compensation, decides whether the lectures or courses of instruction shall be published, the language or languages to be used, and in general discharges the functions of a board of trustees of a university. The Curatorium consists of twelve members: (1) the president and former presidents of the Institute of International Law who accept membership at the time of the founding of the Academy; (2) the Director of the Division of International Law of the Carnegie Endowment for International Peace; (3) a Dutch member designated by the Council of Administration, which administers the financial affairs of the Academy; and (4) such other members necessary to complete and to keep the membership at twelve. The Curatorium is to be, in conformity with the general scheme, an international body, because it is provided that all of its members shall be selected from competent persons of different nationalities. It may be said in this connection that a meeting was held at Paris,

January 30–31, 1914, of those persons who form *ex-officio* the Curatorium, and that the other members necessary to complete the membership were selected, so that the Curatorium, as at present constituted, is as follows: Louis Renault of France, past president of the Institute of International Law, President; H. Harburger of Germany, president of the Institute, Vice-President; Baron Descamps of Belgium, Carl Goos of Denmark, G. F. Hagerup of Norway, C. E. Lardy of Switzerland, Lord Reay of Great Britain (past presidents of the Institute); J. B. Scott, of the United States, Director of the Division of International Law of the Carnegie Endowment for International Peace; Theodore Heemskerk of Holland, former Prime Minister; Alejandro Alvarez of Chile, associate of the Institute; Guido Fusinato of Italy, member of the Institute; Baron Michel de Taube of Russia, associate of the Institute.

The greatest difficulty, it is believed, which the Academy will have to meet is that of a student body made up of competent persons from different countries; for it is not enough that the Academy be founded, that its doors be opened, and that the professors and lecturers be ready to deliver their courses; an international student body must be in attendance, otherwise the Academy will make but a limited appeal and will not render that international service which was the reason for and the justification of its creation. This matter requires the greatest attention and the best thought and reflection of the Curatorium, because upon it will depend in large measure the success of the institution. It was proposed in the first instance that the Academy should be created by the Second Hague Conference; that it should be supported by contributions from governments; and that its student body should be composed of persons in the service of the different governments and designated by them to attend its courses. It was felt, however, that such an institution would be diplomatic rather than scientific; and that the governments, without contributing to its support, should be requested to designate competent persons to attend the sessions. The Minister of Foreign Affairs of Holland, who takes a deep and enlightened interest in the Academy and in its success, has communicated with the different governments represented at the Second Hague Conference, requesting them to designate qualified persons to attend the Academy, especially persons connected with the government service. The replies state an interest in the Academy, but generally make their support depend upon the nature of the courses of instruction to be offered. Should the efforts of the Dutch Government in this matter be successful—and it is believed that they will be—this very difficult and delicate problem will be solved, and the Academy will justify the hopes of its friends and partisans.

It has been decided by the Curatorium that satisfactory arrangements could not be made for courses of instruction in the present year, but that the Academy itself should be formally opened in October by the Dutch Minister of Foreign Affairs and that the program of instruction for the coming year should then be made public and widely distributed, in order that the instruction may begin in the year 1915.

## [ANNEX]

## STATUTES OF THE HAGUE ACADEMY OF INTERNATIONAL LAW

Established with the Coöperation of the Carnegie Endowment for International Peace

## ARTICLE 1

1. An Academy of International Law is established at The Hague.
2. Its seat is at the Peace Palace.

## ARTICLE 2

This Academy constitutes a center of high studies of international law (public and private) and of connected sciences in order to promote a profound and impartial examination of problems bearing upon the international juridical relations.

## ARTICLE 3

1. To that end, the most competent men of the different states are called upon to teach, by means of courses, lectures or seminaries, the most important matters with regard to the international theory, practice, legislation and jurisprudence, as they particularly result from the discussions of the conferences and the arbitral sentences.
2. The instruction is given in the months of July to October.
3. The system of remuneration of those charged with it, is fixed by the Curatorium, within the limits of the budget's resources as these have been established by the Council of Administration of the Academy.

## ARTICLE 4

The persons composing the Board of Directors of the Carnegie Foundation for the Peace Palace form the Council of Administration of the Academy.

## ARTICLE 5

1. A Curatorium, composed of twelve members, has the scientific management of the Academy.
2. The Curatorium is composed of: 1º. the President and the former Presidents of the "Institut de droit international," at the time of the foundation of the Academy who will accept these functions; 2º. the Director of the Division of International Law of the Carnegie Endowment for International Peace; 3º. a Dutch member, appointed by the Council of Administration mentioned in article 4. The above-named members appoint the other members of the Curatorium necessary to complete the number of twelve.
3. Except the above-mentioned Director of the Division of International Law of the Carnegie Endowment for International Peace and the Dutch member, who are members by right, the Curatorium shall, by way of coöperation, provide for the appointments rendered necessary by the vacancies that may occur, on the understanding that two subjects of a same state shall never simultaneously be members of the Curatorium.
4. If several of the presidents of the "Institut de droit international" belong to the same state, only the eldest as president shall be member of the Curatorium.

## ARTICLE 6

1. The Curatorium appoints its President.
2. A quorum of five members is necessary for the validity of its deliberations.

3. Voting by correspondence is only allowed in the case of the appointment of its president, or of one of its members or of the members of the Finance Committee mentioned hereafter in article 13.

4. There must be a meeting of the Curatorium at least once a year. Any member of the Curatorium omitting to be present at three consecutive meetings, shall be deemed to have resigned his membership.

5. The members of the Curatorium receive for their traveling and hotel expenses a compensation, the bases of which are fixed by the Council of Administration.

6. The Curatorium draws up the yearly program and designates the persons charged with the instruction.

7. It may, by agreement with the authors, and if it be deemed advisable, make provision for the publication of the courses or lectures, within the limits of the budget's resources such as these have been established by the Council of Administration.

8. It delegates one or more of its members to be present at the Academy during the period of instruction.

#### ARTICLE 7

1. The Council of Administration appoints, in harmony with the Curatorium, a Secretary General, who performs the functions of a Secretary to these two bodies. His salary is fixed by the Council of Administration.

2. The Council of Administration appoints a Treasurer and fixes c. q. his salary.

#### ARTICLE 8

1. The Council of Administration publishes, before the 30th of September every year, a report on the working of the Academy during the preceding year.

2. This report must be addressed to all the members of the Curatorium, of the Finance Committee, to the Carnegie Endowment for International Peace and to the "Institut de droit international."

#### ARTICLE 9

1. The Council of Administration decides about the admission to the courses, lectures and seminaries and about the repeal, by disciplinary measure, of the admission granted.

2. The admission can not be refused to doctors of a university, to officers or former officers of the diplomatic or consular service and to officers or former officers of the army or the navy.

3. The Council of Administration may subject the admission of a tax not exceeding twelve florins a year.

4. Certificates of assiduity may be awarded.

#### ARTICLE 10

The Council of Administration may, with the assent of the Finance Committee and after having asked the advice of the Curatorium, establish scholarships.

#### ARTICLE 11

1. The Council of Administration is the lawful representative of the Academy in its judicial and non-judicial relations.

2. In order to engage the Academy or to give a legal discharge the signature of at

least two of the members of the Council of Administration and the countersign of the secretary general are required.

#### ARTICLE 12

The revenues of the Academy consist:

- a. of the interests and arrears of the capital of the Foundation;
- b. of the yearly subsidy granted by the Carnegie Endowment for International Peace;
- c. of the donations, legacies or other liberalities from associations or private persons;
- d. of the taxes mentioned in article 9, paragraph 3;
- e. of the proceeds of the sale of the publications by the Academy.

#### ARTICLE 13

1. A Finance Committee is charged with the functions enumerated in the articles 14, 15 and 16.
2. This commission consists of three members, of which two are appointed by the Curatorium and the third by the Council of Administration.

#### ARTICLE 14

Without the previous assent of the Finance Committee the Council of Administration may not:

- a. undertake any lawsuit, enter into any compromise or acquiesce to any lawsuit against the Academy;
- b. accept or reject donations or legacies;
- c. sell, mortgage, pawn, let or give in use any real property belonging to the Academy;
- d. purchase any real property and, if the price exceeds fr. 1,000.—, any personal property;
- e. contract any obligation exceeding fr. 2,500.—;
- f. undertake any building;
- g. order repairs costing more than fr. 1,000.—.

#### ARTICLE 15

1. Every year before October 15th the Council of Administration submits to the Finance Committee a budget of the receipts and expenses for the next year.
2. The Finance Committee finally fixes the budget—with or without modifications—in a meeting to be held in December.
3. The members of the Council of Administration may be present at this meeting, where they have an advisory vote.
4. The Council of Administration may not transgress the limits of any clause of the budget of expenditure without the assent of the Finance Committee.

#### ARTICLE 16

1. Every year before April 1st the Council of Administration submits to the Finance Committee an account of the receipts and expenditures of the preceding year.
2. The Finance Committee after verification fixes this account—with or without modifications—in a meeting to be held in May.

3. The members of the Council of Administration may be present at this meeting, where they have an advisory vote.

#### ARTICLE 17

In so far as the preceding articles do not provide, the Council of Administration has all the necessary power to provide for the good conduct of affairs.

#### ARTICLE 18

1. If at least four of the seventeen members forming the Curatorium and the Council of Administration are of opinion that amendment of these statutes is necessary or desirable, they shall bring their wish to the notice of the Council of Administration, that, in its yearly report shall mention the desired modification.

2. Not sooner than six months later the Council of Administration, the Curatorium and the Finance Committee, in a joint meeting, presided over by the eldest of the three Presidents, take a decision upon the proposition, with or without amendments, by the simple majority of votes.

### The American Institute of International Law

In the report of the Division of International Law for 1912 the Director called attention to the newly founded American Institute of International Law, briefly explained the reasons for its creation, and indicated in summary form the services which it might render. No appropriation was asked for at that time and it was called to the attention of the Trustees merely in order to inform them of its creation. As the Director proposes that the Trustees should, at some future time, aid it financially, it seems desirable to state in some detail the services which it could render and the rôle it could play in the development and popularization of international law in the Western Hemisphere, in order to justify the Trustees in rendering it assistance. Its model is the Institute of International Law, which, although composed of members from non-European countries, nevertheless holds its sessions regularly in Europe. It has seemed advisable to Mr. Alejandro Alvarez and the Director of the Division, with the approval and coöperation of Mr. Elihu Root, to create a somewhat similar institution for the American continents. It might seem that the newer institution would compete with the older one, even though the aims and purposes of the two were somewhat different, but that this danger does not exist is evident by the fact that the members of the older Institute have been consulted and have not merely approved of its establishment, but have welcomed it with enthusiasm. Indeed, its formation, on October 12, 1912, was due in no small measure to their encouragement. It has been deemed advisable to state that fact by reason of the relation which the Institute of International Law sustains, through its Consultative Committee, to the Endowment. But the two institutions differ considerably and, if it be said that they are similar, they are nevertheless not identical. They do not appeal to the same constituency, nor do they cover the same field. The older Institute deals with international law,



public and private; the younger with public international law. The older discusses at its sessions all phases of international law, including the laws of war, whereas the newer institution lays stress on the discussion and popularization of the rules of international law which should obtain in a state of peace, and only deals incidentally with questions of war. But, however restricted its program, there is an ample field for the coöperation of the most enlightened and the most constructive minds of America. Its object and aims are thus stated in the second and third articles of its constitution:

### *Object*

The American Institute of International Law is a scientific, unofficial Association. It has for its object

(a) To contribute to the development of international law, and to have its general principles accepted by the nations of the American continent;

(b) To encourage the scientific and systematic study of international law, to popularize its principles, to propagate their knowledge in their application to the conduct of international relations;

(c) To contribute to a clearer perception of international rights and duties, and to the formation of a common feeling of international justice among the peoples of the American continent;

(d) To endeavor to secure everywhere pacific action in the settlement of international disputes between the American nations. (Article II.)

### *Office and Function*

The American Institute of International Law aims:

(1) To formulate the general principles of international law for the purpose of strengthening the bonds uniting the American peoples among themselves in order to provide sufficiently for the needs of the American republics in their mutual as well as their international relations, in such manner as to meet the juridical conscience of the civilized world;

(2) To discuss questions of international law, especially questions that may arise between the American republics, by endeavoring as far as possible to settle them in conformity with the principles of international law generally accepted, or by enlarging and developing these principles in accordance with the implicit or expressed desire of the American republics, in conformity with the essential principles of right and justice;

(3) To discuss the method after which the general and special principles of international law may be reduced to codification, and upon the proper occasion, to codify certain branches or parts of international law susceptible of codification;

(4) To obtain general assent to those principles that may have been recognized as in harmony with the needs of the progressive society of modern nations;

(5) To contribute, within the limits of its power and means at its disposal, either to the maintenance of international peace or to the observance of the laws and minimizing the evils of war;

(6) To study the principles so as to meet new conditions that may arise;

to provide the means by which these principles may be realized in practice and the observance of which shall lead to the maintenance of peace;

(7) To contribute to the triumph of the principles of justice and humanity that must govern the relations of the peoples considered as nations, by a scientific and methodic instruction in international law in the American Universities and educational institutions, through conferences and addresses of a scientific character upon the questions and problems of international law and international relations, as well as through publications and other suitable means;

(8) To promote the knowledge and union of sentiments between the republics of the American continent, so as to strengthen the mutual feeling of friendship and of confidence between the citizens of the American republics. (Article III.)

Its membership is composed of not more than five publicists of each American country, making in all a body of 105 members. Its sessions are to take place at least every two years, and it, like the older Institute, is to meet in different countries. Its method of procedure is based upon the procedure of the older institution as it has been developed in the forty years of its existence. In so far the institutions may be considered as similar, although by the limitation of the scope of the newer institution and the chief stress laid by it upon the peaceful relations of nations, they are not identical; but, were they identical, it is believed that the establishment of the newer institution would be advisable, and that the results of its labors would justify its existence. There is, however, a very great and important difference between the two. The older institution is complete in itself and does not have branches through which it works and which popularize its results. The newer Institute proposes to treat its more limited field of international law in much the same way as its prototype, but it contemplates the creation in the capital of each American republic a national society of international law, which shall be affiliated with the Institute and from whose members the members of the Institute shall be chosen. The members of the national societies are associate members of the Institute and, upon compliance with the terms of the by-laws, are entitled to the rights and privileges of such; that is to say, they share on equal terms in the scientific discussion of the questions considered by the Institute but do not take part in its administration. The reason for the Institute and for the national societies is twofold. In the first place, it is believed that the deliberations of the Institute will not only be scientific and thus advance the development of international law, but that the association of representatives of different countries will in itself be an educating influence and that the mere exchange of views will create a community of feeling between the publicists of the different countries which would in itself tend to harmonize divergent views, which too often are based upon imperfect understanding. This is, however, a trait common to the two Institutes. The second purpose is to create in each American country a nucleus of persons interested in international law, so that the proceedings of

the Institute may be studied and popularized in each of the countries, and the principles of a rational, progressive and adequate system of international law may be disseminated. At the same time, it is believed that the proceedings of the national societies will be of service to the Institute as such, and that each organization will mutually react and interact upon one another.

It is not believed necessary to create a journal of international law as the organ of the Institute, because the *American Journal of International Law* can no doubt be modified, in so far as it may be deemed necessary, to serve this purpose, and its Spanish edition will thus keep the Institute and the national branches in touch with the international movement. It is believed, however, that each national society might very well issue a bulletin at regular intervals—perhaps quarterly—similar to the bulletin of the French Society of International Law, which contains a brief summary of its proceedings, projects and conclusions. If this were done and bulletins of the national societies were exchanged, it would follow that each national society would be kept in touch with each and every national society, and that international law would receive a great impetus.

The American Institute of International Law is composed at present of a charter member from each American country. It has been thought best to await the creation of the national societies before completing its membership, and the Director is very happy to state that national societies have either been formed or are in process of formation in Mexico, Brazil, Argentine, Chile, and Peru; in the last four countries due to the initiative of Mr. Bacon upon his recent trip to South America.

It is expected that the Institute and national societies will devote themselves primarily to what may be considered American problems, which will be discussed in the light of principles of international law if they exist, and by the development of principles based upon fundamental conceptions where such principles do not exist. It is hoped that the Institute and the affiliated national societies will facilitate the codification of international law, which, in the opinion of the Director, can best be done—at least at present—by private initiative.

The Director believes that the relationship which exists between the Division of International Law and the European Institute might properly be created between the newer body and the Division, for a committee of the newer Institute could act as adviser to the Director in American problems, and guide and direct the Division in those of its undertakings which affect primarily the Western Hemisphere.

In his opening address as president of the Twentieth Universal Peace Congress at The Hague, held in 1913, the distinguished Dutch publicist, Mr. J. de Louter, formerly professor of international law at the university of Utrecht, stated that he considered the New World as having inherited "the privileges of the promised land." He mentions specifically three matters which were a source of encouragement to European publicists. Two of these were the

initiative for the codification of international law and the establishment of the Carnegie Endowment for International Peace. The third was the formation of the American Institute of International Law, of which he said:

The second illustration is furnished by an essentially scientific Institute, whose moral influence and effect are not less important. The gradual coming together of North and South America has called into existence a new agency of progress. The projects for a Pan American Union which have been discussed for a long time, but never practically realized, have at last led to a definite result within the peaceful field of scholarly pursuits, thanks to the talent and perseverance of two illustrious men from the two halves of the hemisphere. In the course of the past year Dr. James Brown Scott, the distinguished juriconsult of the United States, and Mr. Alejandro Alvarez, formerly a professor and at present counselor to the Chilean Ministry of Foreign Affairs, who, in June, 1912, had brought to bear a salutary influence at Rio upon the plan of codification, have, after a personal meeting at Washington, founded in the latter place in October, 1912, "The American Institute of International Law". This Institute has for its object: first, to contribute to the development of international law; second, to crystallize the common sentiment for international justice; third, to promote pacific settlement of all international disputes arising between the American countries. This luminous plan was born of the conviction that it is better to foster ideas of right and justice through slow but constant infusion into the minds and hearts of the peoples, than through diplomatic negotiations not based upon popular feeling.

When it is understood that the pacifist movement is more general in America than in any other country, and rests either on a religious basis or upon a community of interests and of tendencies worthy of envy, we can best appreciate this new evidence of vigorous progress which has come to us from the other side of the ocean; it puts new life into our hopes and gives fresh impetus to our courage.

### Societies of International Law

In the section of this report devoted to a consideration of the American Institute of International Law and to societies of international law to be created in the different countries for affiliation with it, the advantages which would accrue from the establishment of such national societies have been pointed out. It is, however, thought advisable to call attention to the importance of establishing national societies of international law not merely in the states of the Western Hemisphere, but in every state recognizing and applying international law in its foreign relations.

The Director does not feel it necessary in this connection to dwell upon the service rendered by the American Society of International Law since its establishment in 1906, and by its official organ, the *American Journal of International Law*, from its first issue in 1907. It may be stated, however, that the society has more than justified its existence; indeed it has surpassed the expecta-

tions of its founders, and its *Journal*—the only one in the English language—is regarded as a model by foreign publicists. The society does not receive assistance of any kind from the Endowment and needs none, nor does its *Journal* receive a penny from the Endowment, although the Spanish edition is published and circulated at the Endowment's expense. It is believed that what enterprising and enthusiastic publicists have done in the United States can be done elsewhere, and that national societies can be called into being and may play a very useful rôle in the popularization of international law and in the dissemination of a knowledge of its principles. For a number of years the American Society of International Law was, so far as the Director is aware, the only society of its kind. Late in 1912, however, a society of international law was established in China through the agency, it would appear, of Dr. W. W. Yen, a member of the American society, and steps were taken for the publication of a Chinese journal of international law as the organ of the new society.

On February 22, 1913, the French society of international law was organized at Paris, with Baron de Courcel as president, Mr. Louis Renault, vice-president, Mr. de Lapradelle, secretary general, and Mr. Politis, treasurer. The founders of the society have been good enough to say that they were encouraged to organize it by the existence and success of the American society. There is of course a danger that a national society, especially in Europe, might seem to compete with the Institute of International Law, and the more universal danger that the members of the society might look upon themselves as members of a society of French international law rather than as a French society of international law. Mr. Renault, who opened the first meeting of the French society on June 12, 1913, with a remarkable address outlining the activity of the society and the services it could render to international law, considered both of these questions, and his address is so important from all points of view that the Director feels it desirable to attach it in full as an appendix to the present section.

The aims and purposes of the French society are as follows: (1) To promote the knowledge and study of international law in France; (2) To coördinate the efforts and unify the views of French jurists by drawing together in a mutual exchange of ideas all those among them who are interested in public and private international law; (3) To give public opinion a clear and accurate knowledge of the work undertaken by the Institute of International Law in the field of science, and by the conferences on private international law, and the Peace Conferences at The Hague in the field of practical affairs. The society is composed of two kinds of members, all of French nationality: members, not to exceed 100; and associate members, without restriction as to number. The associate members are elected by the council upon recommendation of two members. The French society is, therefore, seen to differ in one very important particular from the American society in that membership is restricted in the one but not in the other. The society does not publish a journal and it is not necessary that it should do

so, as there are excellent French periodicals of international law and the conflict of laws. It does, however, issue a quarterly bulletin, which is distributed free of charge to its members. The bulletin gives the necessary information to the members concerning the subjects discussed, an abstract of the discussions, and the text of the reports on the different subjects discussed. They are very small pamphlets, and the cost involved is but slight.

The President of the Endowment and the Director of the Division have often discussed the advisability of encouraging the formation of national societies of international law, and the Director took advantage of the organization of the French society to lay the question of encouraging the formation of such societies before the Consultative Committee at its meeting at The Hague in 1913. As the result of a very careful and prolonged discussion the Consultative Committee declared itself in favor of the formation of national societies to foster the development of international law. It should be said in this connection that the Institute of International Law contemplated the formation of national societies, of which the French society can be considered the first fruits, for in Article 8 of the statutes of the Institute it is stated:

The members, in conjunction with the associates, may form in each State committees composed of persons engaged in the study of the social and political sciences, in order to second the efforts of the Institute among their fellow countrymen.

The Director, however, believes that the popularization of the labors of the Institute should be but one function of the national societies and that, if established, their aims and purposes should be as stated by the French society, with unimportant modifications. The Director feels that the formation of national societies would be a very ready and effective means of popularizing some of the purposes for which the Endowment was founded, for peace is the result of law and its application, and that the Endowment might well take an interest in the establishment of national societies in the many countries where they do not exist. The Director, therefore, intends to see what steps the Division of International Law can properly take to encourage the creation of such societies.

#### ANNEX

*Address of Mr. Louis Renault, June 12, 1913*

Gentlemen:

I regret deeply, for more than one reason, that on the occasion of this first meeting of our Society you should have to face its vice-president instead of its president. I can only offer you the excuses of Baron de Courcel whose place I shall endeavor to fill to the best of my ability. Profiting by his absence, I wish to tell you how very happy we have been to put him at the head of our organization, and how very grateful we are to him for having permitted us to shelter the new Society under his high patronage. In the course of his career, especially on two memorable occasions, at the Berlin conference where

the Congo affairs were considered, and at the Paris arbitral tribunal which considered the Behring Fisheries, Baron de Courcel acquired in international questions an authority which must be considered as a recommendation and at the same time as an encouragement to the society at whose creation he consented to preside. We fully appreciate the value of such protection and we shall endeavor to remain worthy of it, relying upon the counsel and experience of our eminent president.

I suppose, gentlemen, that it occurred to some of you who were requested to accept membership in the projected Society, to think and even to exclaim: "Another new Society! There seem to be already plenty of them". I understand this the better because I am compelled to confess that this was my attitude when several of our young friends came to speak to me about their projects. I received them with some coldness, perhaps due in part to a repugnance on the part of old men toward new enterprises. But they were not deterred by my lack of enthusiasm. They continued to insist, speaking of the services to be rendered in behalf of the development of international law, to which I had devoted the greater part of my life. They had no difficulty in convincing me of the usefulness of the projected organization. Then, pleading my advanced years, my many occupations, and my weariness, I told them that I would gladly follow the work that would be accomplished without taking an active part therein. After the conferences and commissions of all kinds in which I have participated or am still participating, I thought I was entitled to some rest. In particular, I did not wish to be compelled to make a speech! You see how successful I have been; here I am presiding over this opening meeting and addressing you, not with a set speech to be sure, but nevertheless, though informally, making an address. (Consult the program!) I was weak; I was unable to withstand the persuasive manner in which one of my dearest pupils, our excellent secretary general, approached me. You may lay it to him, and also to Baron de Courcel, that you find me in this place, where I had not the slightest thought of standing.

What do we wish to accomplish? What shall be our special activity?

For nearly half a century a great work has been going on with the object of reaching a better regulation of relations between the nations, a regulation which must keep pace with the ever increasing facility of international communications, with the unceasing movement of persons and property from country to country.

This work is being pursued under different forms, all worthy of our attention.

From the scientific point of view, an important association, the Institute of International Law, has been at work for forty years, endeavoring to formulate the general principles of the science, so as to meet the juridical conscience of the civilized world; it has contributed to a gradual and progressive codification of international law in order to insure the triumph of the principles of justice and of humanity that must govern the relations of peoples among themselves (see article 3 of the Statutes of the Institute). In this way numerous resolutions touching all parts of international law have been adopted and have exercised great influence upon the theoretical and practical progress of this branch of jurisprudence.

From the diplomatic point of view, international conventions have become more and more numerous; they deal with the most varied questions coming within the political, economic, legal, administrative and judicial fields. Rarely is the influence of questions of interest confined to the interior of a country; their effect is felt abroad. To show that this is so, I merely need refer to recent agreements that have become already numerous and sufficiently important to be termed the "workmen's international law".

Bipartite conventions having become more and more numerous, more and more similar, because needs are about the same everywhere, and because, also, without any false pride everybody profits by the experience of everybody else, the thought occurred of replacing

them with conventions for a large number of states whose relations are regulated in a uniform manner. In this way were formed the unions that render such great service and constitute what may fairly be called an international legislature with various objects ranging from postal and telegraph institutions to industrial or literary and artistic property.

Outside of those conferences that pursue but one single purpose, the regulation of a definite administrative or juridical matter, other conferences have been organized with less restricted purposes. In the first place, we find those conferences due to the initiative of The Netherlands which ever since 1893 have met for the elaboration of rules regarding private international law, and which have adopted various conventions that have resulted in the settlement of numerous conflicts in the law dealing with marriage, divorce and legal separation, guardianship over minors and adults, and the financial relations between husband and wife. Private interests of the highest order have in this way acquired great security.

Outside the courts and legal circles, these conferences have not generally held the interest of public opinion; but they have nevertheless accomplished useful and beneficial results.

Other conferences have also met at The Hague and have caused greater public interest, for the reason that they bore a striking name, such, for instance, as the Peace Conferences. I am of those who have deeply regretted that name. It has led to a misunderstanding on the part of the public, which had been led to believe that we were going to take measures to insure perpetual peace. Facts having soon thereafter proved that war still exists, people thought more of the things not done—that could, in fact, not be accomplished—rather than of the things really attained.

Peace is not manufactured in conferences, not even at diplomatic conferences, except when they deal with measures for the purpose of ending hostilities; and the things that have been going on before our very eyes show that it is not an easy matter, despite the great need that the whole world feels in wishing to see peace reestablished after a vicious struggle.

How can we think of doing away with future violent conflicts, that is to say, how can we prevent men from being unreasonable, from resorting to their individual brutal forces in order to obtain what they desire? Peace at home is not an easy thing to maintain, even when all sorts of repressive means are available that are necessarily absent in the relations between independent states.

Don't let us deceive ourselves; let us not think that it suffices to wish merely that such things should be, in order that the reign of law may all of a sudden follow in the place of the reign of violence. Let us be less ambitious. Much will have been accomplished if we succeed in making pacific relations easier, in regulating them more successfully, when war shall have become less frequent and the evils usual to both belligerents and neutrals resulting from wars shall have been in a measure decreased.

It is from this viewpoint that we must consider the work of The Hague. That which characterizes this work, and in this connection, I wish to include in what I may say both the conferences on private law and those on public law, is the progressive development of the idea of law in the relations between peoples, and the juridical organization of international life in time of peace and in time of war.

I am not in the least disposed to say that this work is perfect; it must be improved, completed, and developed; in order to get a proper idea of it, it is necessary to take into account all the difficulties that must be removed in order to bring different purposes and attitudes of mind to an agreement. The task that we assign to our Society is that it shall start with that double series of activities due to the Institute of International Law and to the Hague Conferences. We wish to popularize them, take them out of the narrow circle of specialists, and invite an ever larger number of persons to the study of the delicate



problems that arise more and more in international relations. These problems deal with all the features of public and private life; their complexity is such that to apprehend all these difficulties, to discern all their elements, and reach a proper settlement, various forces are necessary: minds technically trained according to the nature of the juridical, administrative, political or judicial aspect of the question; and men of general training, because there are essential principles that must govern at any international settlement whatever its special object, a thing that has not always been taken into account. Not all expedients can be resorted to in order to bring about an international regulation, in spite of the usefulness that such regulation seems at first to promise.

For all these reasons, we are deeply thankful to the eminent men, diplomats, statesmen, jurists, judges, administrators and publicists who are willing to heed our appeal and to assure us of the assistance of their knowledge and experience. We have also the help of younger men full of enthusiasm, who are willing to search the still unexplored or little explored nooks of the science. We have made sure that we shall be in the very best condition for taking up the work to which we have invited you.

It is for this reason that Mr. Legrand, who had planned to organize a French society for the study of international commercial law, was kind enough to give up this idea as soon as he learned that our Society meant to give a large place in its labors to commercial and maritime questions for the study of which the specialists whom we count among the Society's charter members and who are its most distinguished members will make excellent collaborators.

We are organizing a French society of international law: this necessitates two explanations.

In the first place, we do not in any way wish to compete with the Institute of International Law; on the contrary, we wish to become connected with it. The organization of our Society is foreseen by the statutes of the Institute, according to which "the members, in conjunction with the associates in each State may constitute committees composed of persons pursuing the study of social and political sciences, in order to second the efforts of the Institute among their compatriots" (Article 8). In fact, almost all the French members and associates of the Institute have joined our Society.

We mean to organize a French society of international law, not a society of French international law. The interests of the Society concern French interests primarily, but we do not pretend that France has an international law of its own.

There are nevertheless many problems pertaining to international relations that must be settled in an independent way, in regard to which the general principles of international law, as well as the special concepts and interests of each country, must be taken into account. The study of such problems falls particularly within the field of the labors of a Society like ours. Let me merely call your attention to the status of foreigners in our country, especially with regard to the power to expel or exclude them; the acquisition and loss of citizenship, the application of foreign laws, the jurisdiction of the courts with regard to foreigners, the authority and execution of foreign judgments, procedure pertaining to prizes, extradition procedure. Much is to be done within this sphere, many gaps in our legislation must be filled, for our codes date from a time when our relations with foreigners were not considered in the light in which they deserve to be considered.

Even in purely international questions, we may try to have rules accepted that seem to us both just and in conformity with our interests. Some of these questions have been left open after lengthy discussion, and if thought necessary they may be submitted for settlement to a permanent or a special international jurisdiction; each country is entitled to prepare such decisions as it may deem the best. There are also questions in which the true

interest of the country must be established; this is not always an easy matter, for it is necessary to find out what modifications in the usual practice might be admitted by way of conciliation, because routine is not infrequently a bad adviser and rouses an unjustified opposition to measures that would be of general interest. The collaboration of compatriots hailing from different professions may be of assistance in removing prejudice and bias.

I would like to call your attention to what we may expect from the aid of so many thoroughly trained and willing men. Ever since 1791, when a resolution was moved to that effect in the constituent assembly, France has been waiting for a law concerning extradition; attempts to that end were made in 1878 and in 1900, but were of no avail. Let us confine ourselves to procedure, and shun all controversial questions which have lost something of their importance if we admit that justly or unjustly extradition conventions must always be approved by Parliament. A legal settlement of this matter is indispensable both for individuals and for the Government; we can not indefinitely follow out this matter with official circulars, even when they are signed by a Dufaure and countersigned by a Ribot. Let us provide our legislators with precise and complete rules that take into account the complex interests involved in the question, and we may then have a chance to get them considered. To draft a project that forces itself upon our action, we possess in our Society all the elements for an ideal committee composed of all men trained in necessary diplomatic, judicial, juridical and administrative capacities.

International law in its widest sense must be the object of our studies. According to tradition, it has been divided into two branches, each of which we have assigned to a section. We are aware of the fact that it is difficult to classify certain subjects, but this does not cause much inconvenience. Our sections are not separated from each other by impenetrable partitions; members may register in both; the work prepared by one section may be brought to discussion before the General Assembly.

In conclusion, I wish in our name to thank the Director of the School of Political Sciences for his gracious hospitality to us. Our Society meets in an atmosphere which befits it in every way and can only contribute to the success of its labors.

### Société de Législation Comparée

At its meeting of December 20, 1913, the Executive Committee approved a recommendation for a subvention to the *Société de Législation Comparée*, by adoption of a resolution allotting fr. 7,500 from the appropriation for the Division of International Law, for the fiscal year ending June 30, 1914, as a subvention to the society mentioned, for the period July 1, 1913, to June 30, 1914.

This society, which is now in its forty-fourth year, was recognized by the French decree of December 4, 1873, as an institution of public usefulness. Its objects are the study of the laws of the different countries and the search for practical means of improving legislation in its many branches. With very limited resources, it has been able to do the considerable work to which general praise is given owing to the admirable zeal and disinterestedness of its collaborators. It has a membership of about 1,200 persons and libraries or other institutions, about half of these residing or situate in French territory. The annual fee for members of the society is twenty francs; the entrance fee being ten francs. Besides the regular members referred to, the society has a list of about thirty-five corresponding members in foreign countries, most European countries

being represented, as well as Chile, China, Argentine Republic, Uruguay, Costa Rica, Canada, and the United States.

The Council, which controls the business of the society, is composed of a president elected for two years; four vice-presidents and sixteen or more councilors, elected for four years; and a secretary general, four secretaries and a treasurer, appointed annually by the Council. One-fourth of the vice-presidents and councilors are elected every year, and no members of the Council, except the secretary general, the secretaries, and the treasurer, are eligible to immediate reelection.

On the Council for the year 1913 were Mr. Auguste Arnauné as president, Messrs. Joseph Drioux, Léon Lallemand, A. Le Poittevin and Henri Fromageot as vice-presidents and Mr. Fernand Daguin, the secretary general since 1881. The President of France is the honorary president of the Council. Among former presidents and vice-presidents are noticed the names of many prominent Frenchmen, members of the Institute of France, and the Institute of International Law, professors and eminent lawyers.

The society holds both general meetings and section meetings. There are four sections, one each for the French and English languages, another for the languages of the North, and a fourth for the languages of the South. The general sessions take place four times a year on dates fixed by the Executive Council. Each of the sections meets likewise four times a year, the dates being so arranged as to preclude conflict.

The proceedings of the meetings are printed in the monthly bulletin of the society. The bulletin (that for 1913 consisted of 516 pages) contains also interesting studies on topics in comparative legislation, as well as notices of current legislation in France and abroad, and numerous signed book reviews. The society also publishes an annual of French legislation and one of foreign legislation wherein are gathered the texts of the laws of greatest interest to students of comparative legislation, to which are added notices by competent reviewers. These several publications of the society are gratis to its members.

Other publications of the society are:

Catalog of its library.

*Recueil des procès-verbaux de la Commission chargée d'étudier les réformes à introduire dans la loi de 1838 sur les aliénés*, preceded by a study by Mr. Ernest Bertrand.

*Rapport de la Commission chargée d'étudier les diverses législations sur le notariat.*

*Congrès international de droit comparée*—Minutes of the meetings, and documents. 2 vols.

*Le régime des cultes en France et à l'étranger.* Collection of works published by the *Société de Législation Comparée* with an introduction by Mr. Louis Delzons.

In addition, various codes of law have been translated into French, annotated by members of the society and printed, with appropriate acknowledgments to the society, by the Government of France.

The budget of the society for the year 1913, as settled by the Council, was as follows:

*Receipts*

Annual dues for the current year .....	fr. 20,000
Back dues .....	1,000
Entrance fees for new members .....	200
Sale of publications .....	3,800
Corbay prize .....	250
Interest .....	903
<hr/>	
Total .....	fr. 26,153

*Expenditures*

Monthly bulletin .....	fr. 4,000
Annual of foreign legislation .....	7,100
Annual of French legislation .....	2,100
Library .....	1,800
Expenses of collection and other services .....	2,200
Postage and distribution .....	2,400
Circulars and notices .....	500
Rent and taxes .....	3,600
Agent and office boy.....	1,550
Heat and light .....	450
Sundries .....	453
<hr/>	
Total .....	fr. 26,153

**Preparation for the Third Hague Peace Conference**

At its meeting of November 14, 1914, the Executive Committee discussed the question of preparations by the governments for the Third Hague Peace Conference, and apprehension was expressed lest that Conference should fail to be called at the suggested time. As a result of the Committee's consideration, a resolution was adopted requesting the Director of the Division of International Law to submit a report to the Executive Committee upon the preparations which have been made for holding the Third Hague Conference and what action the Endowment could properly and usefully take in connection with the calling and meeting of that conference.

With a view to obtaining the data and preparing the recommendations called for by this resolution, the Division is carefully examining all available sources of information. A list is being prepared of the book and periodical literature touching the First and Second Hague Conferences, as well as the Third Confer-

ence, and note is being made of all suggestions for the program of the next Conference; thus far about one thousand references have been collected. On February 2, 1914, the Director of the Division addressed letters to the leading international lawyers, jurists and professors of international law in the world with a view to obtaining their opinions upon the questions raised in the Executive Committee's resolution. Among those addressed are the members of the Permanent Court of Arbitration at The Hague and of the Institute of International Law. Answers to these letters are now being received.

Quite recently, indeed in the last days of January, Mr. Bryan, Secretary of State, sent instructions (quoted below) to American diplomatic agents accredited to the countries which took part in the Second Hague Conference, urging that steps be taken for the meeting of a Third Conference in the year 1915, in accordance with the *vœu* of the Second Conference. This action was, it would seem, the result of a letter of the President of the Endowment, dated December 10, 1913, to Mr. Bryan, a copy of which is appended.

[ANNEX.]

*Mr. Root to Secretary of State Bryan*

*December 10, 1913.*

My dear Mr. Secretary:

A number of gentlemen who are concerned in the administration of the trust established under the title of "The Carnegie Endowment for International Peace", particularly those who took part in the Hague Conferences, are much disturbed by the belief that, owing to the preoccupation of many European Governments in very pressing and important affairs, the preparation which will be necessary for the holding of another conference is not enlisting the official interest in other countries which is desirable. The Trustees have accordingly requested me to ask your consideration of the question whether in some way an impulse can not be given which will result in greater activity of preparation on the part of other Powers.

The Final Act of the Peace Conference of 1907 provided,

Finally, the conference recommends to the powers the assembly of a Third Peace Conference, which might be held within a period corresponding to that which has elapsed since the preceding conference, at a date to be fixed by common agreement between the powers, and it calls their attention to the necessity of preparing the program of this Third Conference a sufficient time in advance to ensure its deliberations being conducted with the necessary authority and expedition.

In order to attain this object the conference considers that it would be very desirable that, some two years before the probable date of the meeting, a preparatory committee should be charged by the governments with the task of collecting the various proposals to be submitted to the conference, of ascertaining what subjects are ripe for embodiment in an international regulation, and of preparing a program which the governments should decide upon in sufficient time to enable it to be carefully examined by the countries interested. This committee should further be intrusted with the task of proposing a system of organization and procedure for the conference itself.

This provision is of especial interest to the United States because the American delegates to the Second Conference made a special point of urging that the assembling of

future conferences should be made automatic and not left to depend upon the future initiative of any Government. They did this under the following instructions from our State Department:

You should keep always in mind the promotion of this continuous process through which the progressive development of international justice and peace may be carried on; and you should regard the work of the Second Conference, not merely with reference to the definite results to be reached in that Conference, but also with reference to the foundations which may be laid for further results in future conferences. It may well be that among the most valuable services rendered to civilization by this Second Conference will be found the progress made in matters upon which the delegates reach no definite agreement.

With this view, you will favor the adoption of a resolution by the Conference providing for the holding of further conferences within fixed periods and arranging the machinery by which such conferences may be called and the terms of the program may be arranged, without awaiting any new and specific initiative on the part of the Powers or any one of them.

The United States is accordingly entitled to take an interest in seeing that the provision for future conferences, which it was thus instrumental in securing, is acted upon, and that the practice of holding international conferences, so useful in promoting the peace of the world, shall not lapse into desuetude, but shall become an established international institution. The provision of the Final Act of the Conference of 1907, above quoted, contemplates another conference to be held about the year 1915, and as preparation for the conference is manifestly essential it provides for a preparatory committee to be charged by the Governments with the task of collecting proposals, ascertaining what subjects are ripe to be embodied in a regulation and preparing a program to be submitted to the Governments in advance of the conference. It was the view of the Second Conference that this should be done some two years before the probable date of the Third Conference. No such committee has yet been appointed, although if the Third Conference is to be held in 1915 much less than two years now remains for the work of the committee. We understand that the following countries have appointed committees of their own to consider the subject of the next conference, viz.: Denmark, France, Holland, Norway, Sweden, and the United States. There may be some others, but I do not know of them. The separate national committees will doubtless render useful service in the way of preparing their own countries for another conference, but that is quite a different thing from the international committee, through which alone effective steps towards calling the conference and urging an agreement upon procedure and program can be taken. The Final Act of 1907 provides that the actual date of the conference shall be fixed by common agreement between the Powers. It seems hardly probable that anything can be done in this direction until after the international committee has taken up the subject and made sufficient progress with the program to justify fixing the time when the preparation will have been completed.

It may be that the selection by the United States of its member of the international committee provided for by the Final Act of 1907, and the notification to the other Powers of such appointment, with a request for information as to when it will meet their view to have the committee completed and begin its labors, would call attention to the subject sufficiently to lead to immediate action.

At all events, if that were done the United States would be free from any imputation of lack of interest in this subject, which so great a proportion of the people of our country regard as of the highest importance.

Very sincerely yours,

ELIHU ROOT.

HONORABLE WILLIAM JENNINGS BRYAN,  
*Secretary of State,*  
Washington, D. C.

*Instructions to the Diplomatic Officers of the United States accredited to the Governments  
which took part in the Second International Peace Conference at The Hague*

DEPARTMENT OF STATE,

WASHINGTON, January 31, 1914.

Gentlemen:

By the Final Act of the Second Peace Conference at The Hague in 1907 it was recommended to the Powers that a Third Peace Conference should be held within a period corresponding to that which had elapsed since the preceding Conference, at a date to be fixed by common agreement between the Powers, and attention was called to the necessity of preparing a program of the Third Conference a sufficient time in advance to ensure the conduct of the deliberations of the Conference with the necessary authority and expedition.

In order to attain this object it was by the Final Act further declared to be very desirable that, some two years before the probable date of the meeting, a preparatory committee should be charged by the Governments with the task of collecting the various proposals which might be brought forward for submission to the Conference, of ascertaining what subjects were ripe for embodiment in an international regulation, and of preparing a program for the Conference. It was also proposed that this committee should be entrusted with the task of formulating for the Conference a system of organization and procedure.

On June 10, 1912, the President of the United States appointed an advisory committee to this Government to consider proposals for a program for the next Conference. This committee has submitted an elaborate preliminary report. The necessary steps have not, however, been taken by the Governments concerned for the appointment of the international preparatory committee contemplated by the Final Act of the last Conference. It having been in effect recommended to the Powers by the last Conference that the Third Conference should be held within a period of eight years, which would make the meeting fall in the year 1915, a space of a year and a half still remains within which the preparation of the program may be accomplished. This is a period much longer than that which was found to be sufficient for the preparation of the programs of the First and Second Conferences.

With a view to facilitate the consideration and preparation of the program of the next Conference, the President desires you immediately to propose to the Governments to which you are respectively accredited that the duties of the international preparatory committee shall be committed to the Administrative Council of the Permanent Court of Arbitration at The Hague, this Council being composed of the Netherlands Minister of Foreign Affairs and the diplomatic representatives of the Contracting Powers accredited to The Hague. To this Council the task of preparation for the Conference may readily and appropriately be committed. The place at which the Council sits leaves nothing to be desired from the point of view of convenience, while the entrusting of the work to a competent body already in existence would result in an appreciable saving both in time and in expense. If the membership of the Council were found to be too large for the efficient carrying on of the work in detail, this difficulty could at once be solved by the appointment of subcommittees to deal with particular subjects.

I am, Gentlemen,

Your obedient servant,

WILLIAM JENNINGS BRYAN.

**Collection and Publication of Documents of the First and Second  
Hague Peace Conferences, Including the Reports Explaining  
and Interpreting the Texts Actually Adopted**

The Director of the Division, in his last annual report (Year Book for 1912, p. 154), recommended that a work be prepared dealing with the two Peace Conferences, which should include in the English language not only the texts of the conventions, declarations and recommendations as actually adopted at The Hague but also the official reports presented to the conferences by commissions and *rapporteurs* which the Conferences had before them as explanatory of the projects submitted when they adopted the texts referred to; and he further suggested that the preparation of such a work be included in the list of works to be undertaken by the Division of International Law. The drafting of the several Hague conventions and declarations took place in committees, known as commissions, which, when submitting to the full Conferences the results of their work in the form of draft conventions, accompanied them with careful commentaries called *Reports*. A study of these *Reports* is frequently essential to an exact and thorough understanding of the precise meaning of the text of the agreements reached by the Conference, as well as to an appreciation of what failed to find a place in these agreements and of the reasons for the action taken.

The Executive Committee, at its meeting of May 24, 1913, passed a resolution authorizing the publication in English of the conventions adopted by the First and Second Hague Conferences, together with the accompanying reports in accordance with the recommendation of the Director.

On July 3, 1913, a contract was entered into for the necessary translations of the *Reports*. These translations are now in hand and will soon be sent to the printer. This work will include, as an appendix, English translations of the Declaration of London of 1909 and the report thereon made to the Naval Conference by Mr. Renault.

**Collection and Publication of International Arbitrations**

At the meeting of the Executive Committee on May 24, 1913, the usual annual allotments for Mr. Moore's work on international arbitrations were approved. These allotments included his honorarium and such additional expenses on account of clerical and other assistance as might be found necessary by him for the convenient and expeditious prosecution of the work.

The special work, under the direct charge of the Division, of copying manuscript records of the Department of State was also continued throughout the year and up to the present time. The records thus far copied or translated are as follows:

(1) Opinions of the umpire and of the American and Mexican commissioners under the convention of July 4, 1868, between the United States and Mexico, for the adjudication of all pending claims.



This work involved the copying from manuscript of over 7,000 legal size typewritten pages, which, together with the necessary accurate comparing formed a careful and painstaking task of very large proportions. A duplicate copy was made and two sets of the opinions, appropriately bound, in 12 volumes each, were prepared, accompanied by indexes, both general and special.

(2) The translation of a document of 171 printed pages in the Portuguese language, on the Brazilian-Bolivian boundary dispute. This work required several weeks for translating and careful revision.

(3) The transcription of the records in the so-called Japanese House Tax case, an arbitration between Japan, on the one side, and France, Germany, and Great Britain on the other, has been accomplished. The work involved the copying of over 800 legal size pages, with many annotations, requiring much care and attention. The work when completed was arranged in seven volumes, a duplicate set being also made.

(4) The copying of the manuscript records of the commissions created pursuant to Arts. 5, 6 and 7 of the Jay Treaty of 1794, between the United States and Great Britain. These three commissions were created for the purpose of settling controversies existing since the treaty of peace of 1783. The records are quite voluminous, and the work of copying is still continuing.

(5) The copying of the records of the Panama Land Commission, organized for the purpose of adjudicating claims arising out of the condemnation by the United States Government of lands in connection with the Panama Canal. These records are also composed of manuscripts on file in the Department of State. The work is still continuing.

Mr. Moore, it is understood, is conducting a thorough research in an endeavor to obtain the records of all other arbitrations not available in Washington.

### **Publication of Treaties of Arbitration and Other Arbitral Agreements**

The work of collecting for publication all known arbitration treaties, special agreements or *compromis*, and general and special arbitral clauses, has progressed along the identical lines set forth in the report of the Director for 1912.

Although the publication is to consist of two parts, one to contain all ancient and medieval treaties, and the other to contain the modern treaties from 1794 to 1910, only that part dealing with the modern treaties has so far received attention. This part of the work will, it is believed, comprise several volumes. As stated in the previous report of the Director, all necessary annotations will be carefully inserted and each volume will have a special index aside from the comprehensive analytical index which will accompany the completed publication.

While treaties are usually drawn up in more than one language, it has been decided to print only one of the original texts of any such treaty, accompanied by a translation into English. However, in the case of treaties entered into either by the United States or Great Britain, where the English language is employed,

only the English text will be printed. In all cases where treaties are drawn up in more than one foreign language, and one of the texts is in French, the French text will be printed in preference to any other, if it be possible to obtain it. The Latin American countries, and also many European countries, frequently use the French language in their treaties, and an effort is being made to secure all such French texts. This involves a great amount of correspondence and will require considerable time to accomplish as the Division must await the convenience of its correspondents in gratuitous service of this kind.

All translations which are made at the instance of the Endowment are carefully revised and compared with the original texts so that all possible errors may be eliminated in this branch of the work. When translations have been obtained from other sources, for instance, *British and Foreign State Papers*, references to such sources will be given. While the verification of translations is not as arduous as the first translations, still considerable time must of necessity be devoted to it. The work of translating and revising is progressing satisfactorily.

The treaties have been defined and classified as follows:

1. General arbitration treaties:

To this class belong treaties entered into with the primary object of submitting to arbitration future disputes falling within a general category (*e. g.*, disputes of a legal nature).

2. Special agreements or *compromis*:

To this class belong treaties, conventions, protocols, or other forms of agreements which provide for the settlement by arbitration of specified disputes. It should be observed that these *compromis* do not, of necessity, form the entire treaty, but may be composed of one or more articles in any kind of treaty.

3. General arbitration clauses:

To this class belong articles or clauses which are of a character similar to general arbitration treaties, but which constitute merely one or more articles of a treaty whose primary object is other than arbitration.

4. Special arbitration clauses:

To this class belong such articles or clauses of treaties providing for the settlement by arbitration of disputes which may arise with regard to the interpretation of the treaty of which they form a part, or which may arise in consequence of the application of that treaty.

The task of collecting, examining and transcribing the treaties and agreements has been finally completed in so far as the following publications are concerned:

GENERAL COLLECTIONS OF TREATIES

DESCAMPS (ÉDOUARD) and RENAULT (LOUIS).  
*Recueil international des traités du XX<sup>e</sup> siècle.*

HERTSLET, A. B.

*British and Foreign State Papers* (100 vols. 1373-1906).

LA FONTAINE.

*Pasicrisie Internationale* (1794-1900).

MARTENS (CH. DE) and DE CUSSY.

*Recueil manuel et pratique des traités et conventions, etc., depuis 1760 jusqu'à l'époque actuelle* (1856). Continued by GEFFCKEN.

MARTENS, G. F. DE.

*Recueil des principaux traités d'alliance, de paix de trêve, de neutralité, de commerce, etc., depuis 1761 jusqu'à nos jours* (1801). Collection continued by CH. DE MARTENS, SAALFELD, MURHARD, SAMWER, HOPF, STOECK and TRIEPEL under the title of *Nouveau Recueil Général des Traités*, etc.

#### SPECIAL COLLECTIONS OF TREATIES BY COUNTRIES

ARGENTINE REPUBLIC.

*Tratados convenciones, protocolos y demás actos internacionales vigentes celebrados por la República Argentina*. 2 vols. 1901.

BRAZIL.

*Actos Diplomáticos de Brasil*. Vols. 1 and 2.

*De Monroe a Rio-Branco*.

*O Brasil e o Arbitramento*.

*O Tribunal Arbitral Brasileiro-Boliviano*.

*Relações Diplomáticas do Brasil*.

COLOMBIA.

*Colección de Tratados Públicos*. 2 vols. 1883-1884.

*Apéndice á la Colección de 1883*.

*Segundo Apéndice á las Colecciones de 1883, 1884 y 1906*.

COSTA RICA.

*Colección de los Tratados de la República de Costa Rica*.

*La Gaceta* [Official Diary of December 14, 1910].

ENGLAND.

HERTSLET: *A Complete Collection of the Treaties \* \* \* between Great Britain and Foreign Powers* (25 vols.).

FRANCE.

DE CLERCQ: *Recueil des traités, conventions et actes diplomatiques conclus par la France avec les puissances étrangères* (1713-1904).

GUATEMALA.

SALAZAR: *Colección de Tratados de Guatemala*, 1894.

LATIN AMERICAN STATES.

CALVO: *Recueil historique complet des traités, etc., de tous les États de l'Amérique latine, depuis l'année 1493 jusqu'à nos jours* (1869).

*Central American Peace Conference at Washington. Minutes, etc., and Treaties signed December 20, 1907.*

PERU.

*Boletín del Ministerio de Relaciones Exteriores.* Lima, 44 vols. 1904-1912.

*Colección de los Tratados del Perú,* Ricardo Aranda. Lima, 13 vols. 1890-1911.

*Memoria del Ministerio de Relaciones Exteriores.* Lima. 1898.

*Ministerio de Relaciones Exteriores Reglamento Consular del Perú.* 1912.

*Recopilación de los Tratados Convenios de Arbitramiento Internacional con Notas Historicas,* Carlos Wiess. Lima. 1907.

*Revista de Archivos y Bibliotecas Nacionales.* 5 vols. 1898-1900.

SPAIN.

DE OLIVART: *Colección de tratados de España desde el reinado de Isabel II hasta nuestros días; Colección de los tratados de España durante los tras primeros años del reinado de D. Alfonso XIII.* (1902-1904.) 1911.

UNITED STATES.

MALLOY: *Treaties, Conventions, International Acts, Protocols and Agreements between the United States and other Powers.* 1776-1909.

In order to secure additional material, verify information already on hand, both as to accuracy of text and character of classification, it is hoped that the Endowment will be able to secure the coöperation of the several governments. Steps have already been taken to secure such verification from the Latin American Republics. Under date of January 8, 1913, the Director addressed a letter to Honorable John Barrett, Director General of the Pan American Union, suggesting that the Union coöperate with the Endowment in securing from the Latin American Republics authentic texts of documents and official lists of treaties entered into by the different states. On January 27, 1913, the Division was informed of the willingness on the part of the Pan American Union to extend the desired coöperation. Pursuant thereto the Director forwarded to the Director General, on June 9, 1913, the following circular memorandum for transmission to the Latin American Republics:

*Circular Memorandum of the Director of the Division of International Law, in response to the Resolution of the Governing Body of the Pan American Union of January 8, 1913*

By resolution adopted October 26, 1911, by the Executive Committee of the Carnegie Endowment for International Peace a project was inaugurated for the collection and publication of all known arbitration treaties. The plan contemplates the collection of general arbitration treaties, *compromis* or special agreements, and general and special arbitral clauses. It is proposed that the publication be divided into two parts, one to contain the mod-

ern treaties of 1794 to 1910, the other to contain all the ancient and medieval treaties. The publication is to be annotated where necessary and accompanied by a comprehensive analytical index, which will not only be a guide to the contents of all the volumes but will, under proper headings, analyze and classify the treaties, as for example, "Subject Matter of the Arbitration," "Nature and Composition of the Arbitral Tribunal," etc. It should also be stated that the proposed publication is to include not only the original texts but also the translations thereof.

As it is the hope of the Carnegie Endowment that the collection be as complete and as accurate as it can be made by utilizing not only the materials at its disposal, but also those contained in the archives of the foreign offices, the assistance and friendly coöperation of the foreign offices are indispensable. It was believed that especially the foreign offices of Latin America would be glad to coöperate, if the need of it were shown and the means by which it might be brought about. Therefore, on January 8, 1913, the Secretary wrote a letter to the Director General of the Pan American Union, asking him to call the attention of the Governing Board to the undertaking in question, in the hope that, if the Board approved, the diplomatic representatives of Latin America at Washington might be willing to request the coöperation of their respective governments.

On January 8, 1913, the Governing Board passed a resolution requesting the Secretary of the Carnegie Endowment "to furnish the Director General of the Pan American Union, for transmission to the members of the Governing Board, a complete list of the treaties of arbitration and arbitral clauses contained in general treaties that are in his possession, so that these lists may be submitted to the respective foreign offices in order to be completed or amended as the case may be".

In accordance with the plan above outlined, the work of collecting, examining, and transcribing all arbitration treaties and agreements has been carried on, and the investigation at this date practically covers the modern period from 1794 to 1910. It is expected that the modern treaties will require two or three good-sized volumes, and that these will be issued prior to the publication of the ancient and medieval texts.

In order more clearly to demonstrate the character of the projected publication as to the classes of arbitral agreements or clauses to be included, a definition of each class is given below together with references to examples among the treaties of..... Where it is not possible to cite examples in the case of any country, reference is made to those of other countries.

[Here was inserted an outline of the different classes of treaties, as shown above.]

There is appended a list of treaties, composed of the classes above defined, between.....and other powers. Information is lacking in many cases in the list, as to the exact character of the arbitration treaty or clause, or even whether the designation of certain treaties as arbitration treaties or clauses is correct. This situation arises out of the fact that in some instances references have been found, but not the original text or translations, and in the absence of the one or the other, it is not possible to determine the character of the treaty. Again, it is very probable that some arbitral treaties or clauses have been overlooked, or not found because of the absence of official documents in which they appear.

In view of the desire that the work, when published, shall be as complete as possible, and, further, in view of the impracticability of making a complete verification from sources available in the United States, it is essential that such verification be made in the individual country concerned. Although the examinations hitherto made have resulted in obtaining the original text in numerous cases, yet, in order to insure accuracy it is hoped that copies of the original texts of all the treaties in the list and of any additional treaties which may be found, will be furnished and accompanied by exact reference to sources, whether in printed form or in manuscript.

In the course of his investigations, the Secretary has been much struck by the large number of treaties of arbitration and of arbitral clauses which the American States have negotiated since their independence, a fact known only to the few who have dealt with this question, and unsuspected by the world at large. A collection of the kind contemplated will show that Pan America has indeed been a pioneer in the substitution of reason for force in the settlement of international differences, and, if the Pan American Union and the distinguished diplomatists which compose its membership will co-operate in the way indicated, as they no doubt will by the resolution of January 8, 1913, the success of the undertaking will be assured.

This circular memorandum was transmitted by the Director General to twenty states, namely, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay and Venezuela. Up to the present time only six of these states have replied. Of these six, Argentina sent an authentic list of treaties; Brazil sent official publications; Colombia and Costa Rica sent official documents and publications; Cuba sent additional information augmenting the Endowment's list and the text of a general arbitral clause; and Peru sent both a list of treaties and official publications. The following is a list of the documents and publications received, numbering seventy-eight volumes in all:

**BRAZIL.**

*Actos Diplomáticos de Brasil.* Vols. 1 & 2.  
*De Monroe a Rio-Branco.*  
*O Brasil e o Arbitramento.*  
*O Tribunal Arbitral Brasileiro-Boliviano.*  
*Relações Diplomáticas do Brasil.*

**COLOMBIA.**

*Colección de Tratados Públicos.* 1883-1884. 2 vols.  
*Apéndice á la Colección de 1883.*  
*Segundo Apéndice á las Colecciones de 1883, 1884 y 1906.*

**COSTA RICA.**

*Central American Peace Conference at Washington.* Minutes, etc., and Treaties signed December 20, 1907.  
*Colección de Tratados* [Collection of Treaties of the Republic of Costa Rica to December 31, 1907].

Convention on Pecuniary Claims, signed at Pan American Conference at Buenos Aires, August 11, 1910.

*La Gaceta* [Official Diary of December 14, 1910].

Treaty of Arbitration with the United States of America, of January 13, 1909.

Treaty of Arbitration with the United States of Brazil, of May 18, 1909.

Treaty of Arbitration on Boundaries with Panama, of March 17, 1910.

#### CUBA.

Arbitration clause in the Treaty of Friendship, Navigation and Commerce concluded with Italy, December 29, 1903.

#### PERU.

*Boletín del Ministerio de Relaciones Exteriores.* Lima. 44 vols. 1904-1912.

*Colección de los Tratados del Perú,* Ricardo Aranda. Lima. 13 vols. 1890-1911.

*Memoria del Ministerio de Relaciones Exteriores.* Lima. 1898.

*Ministerio de Relaciones Exteriores Reglamento Consular del Perú.* 1912.

*Recopilación de los Tratados Convenios de Arbitramiento Internacional con Notas Historicas.* Carlos Wiess. Lima. 1907.

*Revista de Archivos y Bibliotecas Nacionales.* 5 vols. 1898-1900.

It is expected that Volume I, which will comprise Class 1, General Arbitration Treaties, will be ready for preliminary print by the coming fall. The object in getting out the volume in a preliminary form is to prevent final publication without exhausting every possible facility for making the work comprehensive and accurate.

### Publication of Decisions of Chief Justice Marshall Involving Principles of International Law

At a meeting of the Executive Committee on November 14, 1913, the Director of the Division submitted a project for the publication of decisions of Chief Justice Marshall on questions relating to international law. He invited attention to the fact that the decisions of the Chief Justice on constitutional questions are now published, in two volumes, and he proposed that his decisions on international law be published in a similar volume. He stated to the Committee that while it was true that the decisions could be found in the reports of the Supreme Court, and circuit court reports of the United States, it would be much more convenient and, indeed, almost necessary in case of foreign students who desired to refer to the decisions of the Chief Justice, that they be collected in a separate volume with appropriate annotations and index. The Director therefore presented a resolution, which was approved, authorizing him to arrange with the Clarendon Press for the publication of such a volume.

### Publication of English and American Decisions Involving International Law

The Director presented this subject quite fully in the Year Book for 1912 (pp. 136-8), and recommended that he be authorized to enter into relations with Professor Wambaugh, with a view to carrying out the project. This recommendation was approved by the Committee, and the Director was instructed to obtain from Professor Wambaugh a statement of his project, in order that it might be examined by the Committee. Pursuant to such request, a memorandum was submitted by Professor Wambaugh, which the Director deems advisable to present herewith in full.

#### I

That international law is in force in the United States is demonstrated by hundreds of decided cases in which the doctrines of international law have been expounded and applied. As international law is not a fixed science in all respects, these decisions may properly be ranked among the most numerous and the most important of the fixed points from which the less clearly defined regions may eventually be mapped. To the theorist, then, that is to say, to the person who is interested in international law as a science rather than as a help to the settlement of actually existing disputes, the decisions of the American courts are as interesting as any one source of knowledge that can be named. That is a sufficient reason for wishing these decisions to be collected, systematized, and in all respects made available. There are other reasons which appear even more directly to men who have to deal with international law practically. It is obvious, for example, that these decisions should be made available to the counsel in international arbitrations, and also for the arbitrators. Further, these decisions should be made available for those having business as litigants, counsel or judges in the tribunals at The Hague. Nor is the possible codification of international law, or of parts of it, such as the law of prize, a reason for considering these decisions of qualified or temporary importance. As a basis for the work of codifiers they are of great value, both because, as has been said, they clearly demonstrate the law and also because they furnish numberless concrete instances of the occurrence of the very sort of problem to which law is applied and to which it must be reasonably and conveniently applicable. Even when codification is complete, these decisions will not lose their value, for they will continue to explain the history and intent of the codification, indicating what are the emergencies to which the provisions are directed and what are the general principles borne in mind by the codifiers. That decisions will retain such importance is proved by the experience of England and America with the codification of portions of private law.

#### II

How should American decisions on international law be made available?

(1) From digests, arguments of counsel, opinions, treatises, and essays should be gathered all references that seem in the least degree promising. This will be no short task, for international law is so far from being treated



as a unit that there are more than fifty titles under which the current digests place international law cases.

(2) All the references found should be examined; and in order to avoid duplication of work all references found should be preserved in an alphabetical list, and further there should be added to each reference which proves to be of any value a few catch words indicating under what topics the reference belongs.

(3) All references of value should be inserted also in a topical list.

(4) Both in the alphabetical list and in the topical list each reference of value should be followed eventually by a careful syllabus showing the very doctrines of international law for which the decision is authority and to some extent the mere *dicta* also.

(5) Both in the alphabetical list and in the topical list there should be added eventually the later international law decisions in which the cases have been cited.

(6) There should also be a chronological list of the cases of any value.

(7) There should also be a list of the cases of value arranged according to jurisdictions and courts.

(8) The lists, as fast as prepared, should be made available for the use of lawyers, authors, and all other persons interested; and to that end there should be duplicates on file in Washington and elsewhere, and perhaps there should be copies prepared for lending.

(9) The lists would be eventually printed, unless some more elaborate presentation of the decisions be deemed desirable.

(10) As an intermediate course between giving mere syllabi and reporting the decisions in the usual way, it may be desirable to prepare summaries of the decisions, or of the most important of them; and in that case the syllabi must be supplemented with brief abstracts showing the facts, the procedure, and the result; and possibly occasional quotations from opinions might be added.

(11) In case it should seem advisable to print the decisions, or some of them, in substantially the form of law reports, it will be necessary to use the new syllabi already described, to prepare new statements bringing out clearly the international law points and no others, to give no more space to the arguments of counsel than may be necessary in order to indicate the contentions made as to international law, and to omit such passages of the judicial opinions as may not be necessary from the same point of view; but it will be very important so to deal with the cases as not to make them seem either more or less weighty authorities on international law than they would be deemed to be by a trained lawyer examining them with the canons of criticism peculiar to the legal profession, and it will also be necessary to prefix to the volumes such introductions as will enable foreigners to understand the jurisdiction and procedure of the courts and also the weight to be attached to decisions.

(12) If the decisions be eventually printed like ordinary reports, the annotations to be added, if it should seem expedient to add any, should not be of such nature as to tend to become obsolete; and to this end they should not go much beyond explaining peculiarities of procedure and correcting errors of citation.

(13) If it should seem advisable to prepare for temporary use anno-

tations likely to require revision, such as references to later decisions, then such annotations should be inserted in a separate volume, so that there may be revision from time to time without impairing the value of the volumes of cases or necessitating reprinting them.

(14) There should eventually be a digest; and this will serve both as a guide to the decisions and as an aid toward codification.

As it is impossible to say at the present time how many cases will be discovered, it is impossible to say how many of the preceding suggestions will prove practicable. However, the former ones are indispensable.

### III

What has been said of American decisions is largely true of British decisions also. Yet American decisions have one unique advantage for they include many instances of the application of doctrines of international law to problems not strictly international, problems arising because of the peculiar relation of the States to one another and to the National Government, since in a restricted sense each of our States is a sovereignty.

### IV

It has been indicated that the number of court decisions on international law points is not yet known. It follows that the extent of this enterprise can not now be defined. Yet the greater its extent, the more important it is to begin the task and to perform it as thoroughly as the means available may permit. Court decisions have absolutely unique value. They do not, like the points agreed upon in treaties, involve self-interest. They do not, like the points involved in the findings of arbitrators, involve compromise. They do not, like the statements of text writers, flow largely from the consideration of merely hypothetical cases without the aid of interested disputation. No, they depend wholly upon science and justice—or what is supposed to be science and justice,—and they have the added value that they are fought out in litigation of actual disputes, skilled and opposing counsel having done their best to discover all analogies, and skilled and unbiased judges having then weighed the arguments and come to a conclusion. It is not necessary to emphasize further the value of decisions thus made to both the theorist and the practitioner; for international law, like all other law, must be a combination of abstract justice with concrete convenience, and every one knows both that in such a combination must be found the solution of disputes and that of such a combination there is no better example than the decisions of courts. Yet beyond the value of decisions to any one interested in either the theoretical or the practical side of international law is the value of such decisions as a part of the propaganda of peace; for there is no more logical step towards supporting the judicial, as opposed to the military, mode of settling international disputes than to show how just and harmonious have been the decisions of the ordinary courts in the cases in which similar problems have actually been litigated.

The Director presented this memorandum to the Executive Committee at its meeting on March 28, 1913, and a resolution was submitted and adopted directing that negotiations be entered into for carrying out the project.

At the meeting of the Executive Committee on June 28, 1913, the Director recommended, and the Committee approved, a small allotment from the appropriation for the Division, to enable Professor Wambaugh to carry on preliminary work in connection with the project. This preliminary work is in progress at the date of this report.

### **Collection and Publication of Decisions of National Courts Involving Principles of International Law**

In the report of the Division of International Law printed in the Year Book for 1912, the Director stated somewhat fully and in detail the advisability of publishing the decisions of English and American courts involving questions and principles of international law, and in the present report the project of collecting and publishing these decisions, as well as the progress made in the matter, has been treated in the preceding section. It is, it is believed, the part of wisdom to begin with the publication of American decisions, as it is generally understood that the Supreme Court of the United States acts as an international court in so far as questions are presented to it involving the States of the American Union, and in fact as well as in theory the Supreme Court is the successor of the temporary commissions provided for in Article IX of the Articles of Confederation. However desirable it is to collect and to publish decisions of American and English courts, in so far as they deal with decisions of international law, it seems essential that such decisions of national courts generally should likewise be collected and published. We are so familiar with the rôle of the Supreme Court and it seems to us so natural, if not essential, that we are in danger of overlooking the fact that foreign courts do not possess and exercise such functions. It is nevertheless true that questions of international law frequently arise and are decided by them and that such decisions show the possibility of settling by judicial process controversies involving international law. It is believed that the people of the different countries are not aware of the extent to which their courts have passed upon questions of international law. The collection and publication of such decisions would therefore be of value to them as showing the possibilities of judicial decision, which they would not be in a position to see unless the cases were collected and placed before them in concrete form. If this were the sole benefit to be derived from the publication of the decisions, the Director would not recommend their collection and publication, but he is convinced that the collection and publication of such decisions will be a matter not merely of interest to teachers and students of international law, to practitioners who may be called upon to argue international cases before courts of justice, but of fundamental importance to arbitrators and to a Permanent Court of Justice if established at The Hague.

It is a common criticism that arbitration is a continuation of diplomatic ne-

gotiation instead of a judicial decision of controversies of a legal nature submitted for settlement, and there is a widespread feeling that arbitration must either become a judicial remedy or that it must be replaced by decisions of courts of justice similar to, if not identical with, national courts. It is not meant by this to suggest that arbitration as such will pass out of existence, for there will no doubt always be disputes of a political nature, whether political in origin or whether they have become so by delay or mismanagement, which nations will prefer to submit to temporary tribunals formed for the occasion of arbiters of the parties' choice. It is a fact, however, that many controversies, which have become so grave as to threaten the peaceful relations of nations, or which are regarded as of a political nature, turn upon the existence and application of a principle of law, and that they might have been settled at the very beginning by submission to a permanent court of justice, had it existed before they had assumed importance. As an aid to the arbiters who form special or temporary tribunals, to the judges of a truly permanent court of justice—which in the Director's opinion will inevitably be established in the near future,—and to the practitioners before such special tribunals or such permanent court, the Director believes that the publication is not merely timely, but that it is essential as enabling arbiters to rely upon precedent, judges to apply it with technical precision, and to demonstrate to the public at large that the controversies of the future, in so far as they are of a legal nature, can be settled by judicial process because they have so been settled and are being so settled in the present.

It would seem that there might be three series: the first consisting of decisions of the Supreme Court of the United States involving international law; the second of like decisions of English courts of justice; and the third of a formal publication of judicial decisions of the nations at large on and after some date in the near future to be determined. Whether it would be advisable or not to publish decisions of courts other than those of the English-speaking peoples, which had been delivered before the date to be fixed upon for the collection and publication of future decisions, is a question which requires further consideration.

The broad question of collecting and publishing in a uniform series judicial decisions of national courts interpreting and applying the principles of international law was submitted to the Consultative Committee of the Institute of International Law at its meeting held in 1912 in Christiania, and was unanimously recommended. It was further discussed informally by the Director with the Consultative Committee at its meeting at The Hague in January, 1914, and the project on this second occasion met with their warm, unhesitating and outspoken approval. It may be said, therefore, that the time has come to consider seriously the collection and publication of such decisions, the means of collecting the decisions, and the form of their publication. As at present advised, the Director believes that we should establish an international Reporter, which should con-

tain in chronological order the decisions of all national tribunals of last resort, in so far as these decisions can be procured and in so far as they deal with international law. Whether or not the decisions should be issued in the French language, as the language most generally understood, or in the language of the original, provided it is generally read, is a question of detail, however important, upon which no opinion is expressed at present, as it seems best to consider the project in general and its advisability, without at this time entering into the many and complex details necessarily connected with its realization. The Director appreciates, however, the importance of these details and makes no request for an appropriation until he has entered into communication with foreign publicists, whose coöperation he would need, and until he lays before the Executive Committee a mature and carefully worked out plan. His present purpose is to show the advisability of such an international Reporter and to secure its consideration by both the Executive Committee and the Board of Trustees.

#### **Preparation and Publication of a Synopsis of the Decisions of the Permanent Court of Arbitration at The Hague**

From time to time the disputes between nations, which diplomacy has failed to settle, are submitted to a special tribunal at The Hague formed from the list or panel of arbitrators of the so-called Permanent Court, in accordance with the provisions of the Convention for the Pacific Settlement of International Disputes. The diplomatic agents of the powers represented at The Hague form the administrative council, whose duty it is to supervise the operations of the Court and of the International Bureau, which acts both as a clerk and a record office to the Court. By the terms of the Convention each signatory was authorized to select "four persons at most of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of arbitrators". The names of the persons thus selected were entered in a list and placed at the disposal of the nations, from which list, in accordance with Article 24, the arbitrators forming a special tribunal could be chosen. The signatories of the convention of 1899 availed themselves of the provisions of the Convention; the arbitrators were appointed and entered in a list; the International Bureau was constituted; and in 1902 the nations were informed that the Permanent Court of Arbitration was organized.

The machinery existed for the arbitration of cases which the nations might care to submit. It was necessary that the so-called Court should be used shortly after its organization; otherwise there was fear that it might be the object of ridicule by many statesmen and politicians of the older school of blood and iron. Therefore, Mr. Theodore Roosevelt, President of the United States, suggested to Mr. Porfirio Diaz, at that time President of Mexico, that the dispute between their respective countries as to the payment of interest on the "Pious Fund"

should be submitted to a special tribunal chosen from the members of the Permanent Court. The suggestion was accepted; the special tribunal was constituted; the case was submitted to the tribunal and decided in 1903; and both countries accepted and abided by the award. It is thus seen that President Roosevelt supplied the Court with its first case and enabled the nations to judge for themselves whether a special tribunal could properly be used by them for the settlement of international disputes.

Some months later President Roosevelt was asked to decide the claims of various nations against Venezuela, but he refused to act as arbitrator and referred them to the Permanent Court. The powers acted upon President Roosevelt's suggestion, and a second case was submitted to a special tribunal of the Permanent Court. Since the organization of the Court, a dozen cases have been submitted to special tribunals chosen from the panel of arbitrators, as appears from the following list taken from the report of the administrative council for the year:

UNITED STATES V. MEXICO: Pius Fund of the Californias.

GREAT BRITAIN, GERMANY and ITALY V. VENEZUELA: Affairs of Venezuela.

GREAT BRITAIN, FRANCE, and GERMANY V. JAPAN: House Tax in Japan.

GREAT BRITAIN V. FRANCE: *Boutres* of Muscat.

FRANCE V. GERMANY: Deserters at Casa Blanca.

NORWAY V. SWEDEN: Delimitation of maritime frontier.

UNITED STATES V. GREAT BRITAIN: Atlantic Fisheries.

UNITED STATES V. VENEZUELA: Orinoco Company.

GREAT BRITAIN V. FRANCE: Savarkar case.

ITALY V. PERU: Financial claim of the Brothers Canevaro.

RUSSIA V. TURKEY: Interest on indemnity for losses in Russo-Turkish war, 1877-8.

FRANCE V. ITALY: Seizure of French vessels *Carthage* and *Manouba*, by Italian war-ships.

It is unnecessary and, indeed, out of place in this report to descant upon the importance of the Permanent Court and of the awards rendered by special tribunals, because, however imperfect the machinery and however open to criticism some of their awards may be, the fact is that the organization of the first tribunal chosen from the panel marks an era in international relations and the first step taken for the creation and development of arbitral jurisprudence.

The administrative council publishes brief abstracts of the proceedings before the special tribunals and prints the official awards. These documents are in French and, so far as the Director has been able to learn, the awards have not been collected and published in a separate volume, which could be consulted by any and all who happen to be interested in this method of settling international disputes. The *American Journal of International Law* has translated and published each decision as it appeared, but the awards, which are interesting and valuable, are scattered through a number of volumes and are thus not easily

found or consulted. The Endowment has received numerous requests both for the awards and for information concerning them. The Secretary has been unable to comply with these requests and he has been unable to refer inquirers to any single volume, in French or English, in which the texts of the awards are to be found, with the exception of a Dutch publication entitled *Grotius (International Year Book)*, in which the awards are printed in the language in which delivered.

The Director of the Division therefore recommended to the Executive Committee, at its meeting of December 20, 1913, the preparation and publication of a work dealing with the awards of the Permanent Court of Arbitration at The Hague. The Executive Committee approved the recommendation and adopted a resolution authorizing the preparation and publication of a synopsis of the decisions of the Permanent Court of Arbitration at The Hague, with a syllabus and necessary introductory matter, to be published by the Clarendon Press in one or two volumes, or in separate brochures, as may seem desirable.

A careful examination of the various awards leads the Director to the conclusion that the awards in each case should not only be accompanied by the special treaty submitting the case, but also by introductory matter, showing its origin and nature, the diplomatic proceedings which failed to effect a settlement, and the exact question submitted to the special tribunal for its decision. He is of the opinion, however, that the introductory matter should be as brief as possible. His idea is that the work should be of a kind to make known and to popularize the services which the special tribunals have rendered, without attempting to prepare an elaborate work, such as would be required by specialists, but which would, for this very reason, appeal to a limited public. Professor Schücking of the University of Marburg has edited an elaborate work in German on the awards, which is in course of publication, and to which the Director has contributed two sections—on the Pious Fund case, and on the North Atlantic Fisheries case—and he believes that this work is calculated to meet the needs of specialists. It would therefore, in his opinion, be unwise to prepare at this time an extensive work, which might seem to compete with this German publication.

#### **Collection of Provisions of Treaties and International Agreements of a Law-Making Nature**

If it be true, as commonly maintained, that custom as evidenced by the practice of nations, treaties and other international agreements are the sources of international law, it would follow that the collection and publication of provisions of treaties and international agreements would render a distinct service to international law and its development by placing an authoritative collection of

the provisions of such treaties and agreements, in so far as they concern international law, before officials of governments, arbiters and practitioners, professors and students of international law, and, in a lesser degree, the general reader. A well known decision of the Supreme Court of the United States (*The Paquete Habana*, 175 U. S., 667) thus states, within the compass of a brief paragraph, that international law is a part of our law, and enumerates and classifies its sources:

International law is part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction, as often as questions of right depending upon it are duly presented for their determination. For this purpose, where there is no treaty, and no controlling executive or legislative act or judicial decision, resort must be had to the customs and usages of civilized nations; and, as evidence of these, to the works of jurists and commentators, who, by years of labor, research, and experience, have made themselves peculiarly well acquainted with the subjects of which they treat. Such works are resorted to by judicial tribunals, not for the speculations of their authors concerning what the law ought to be, but for trustworthy evidence of what the law really is.

It is thus clear that the treaty is regarded as of the highest importance, and it would seem that, in the opinion of the Supreme Court, treaties are regarded at the present day as the chief source of the law of nations. It would seem, therefore, that a collection of the provisions of treaties and international agreements needs no justification. However, since the First Hague Peace Conference of 1899—and the decision of the Supreme Court from which the paragraph is quoted was of that date,—nations recognize as never before that international law is developed by means of general treaties, and it may be said without exaggeration and without fear of contradiction that the treaties and conventions of international conferences in which many nations participate have in reality the force and effect of international statutes. While, therefore, the collection and publication of the provisions of treaties of a legal nature would have required little or no justification, the meetings of the Peace Conferences, familiarizing nations with the value of treaties of a law-making kind and the processes through which international law is developed or made, would seem to render the collection and publication of the provisions of treaties and international agreements, in so far as they concern international law, essential to a correct understanding and a knowledge of the law by which nations are governed in their mutual relations.

At the meeting of the Board of Trustees held on March 9, 1911, Mr. Root submitted a number of projects which he believed the Endowment could properly undertake. Among others he suggested "an abstract of the provisions contained in the treaties of all countries of the world containing international agreements upon matters which, if universally assented to, would constitute interna-



tional law; for example the three rules of the Treaty of Washington". And by way of comment upon the suggestion he stated that "a careful and systematic survey would furnish the basis upon which agreements upon rules would most naturally be built up." The Director of the Division submitted this proposal to the Consultative Committee at its meeting in Christiania in 1912, and the proposal was unanimously approved by the Committee. It is believed that the project as proposed by Mr. Root consists of two parts: (1) the collection of "the provisions contained in the treaties of all countries of the world containing international agreements upon matters which, if universally assented to, would constitute international law," and (2) an abstract of such provisions in the form of a careful and systematic survey. The provisions must necessarily be examined, in order that an accurate abstract thereof may be made, and, as the value of an abstract depends upon its accuracy, it would seem advisable that the provisions should not only be collected but published, so that they would thus be readily accessible to interested persons, and that the accuracy of the abstract might be tested by a reference to the exact texts of the different provisions. The Director is of the opinion that the careful and systematic survey, which Mr. Root believes would furnish the basis upon which agreements upon rules would most naturally be built up, should be arranged in the form of a code so that the collection and publication of the provisions of the various treaties would thus result in the codification of what is known as the conventional law of nations. The field is indeed a very large one, and it appears to the Director best to limit the undertaking for the present to but a small part of it. After much thought and reflection, he believes that a beginning might be made with the treaties of the nineteenth century, and he has therefore entered into communication with Mr. Jules Basdevant, professor of international law at the University of Grenoble, who has examined all of the known treaties of the nineteenth century, under the direction of Baron Descamps and Professor Renault, in connection with their monumental work, now in course of publication, upon the treaties of the nineteenth century still in force. It is of course necessary to examine all the provisions of the treaty to see whether it is in force in whole or in part. This Professor Basdevant has done. He is thus familiar with the general subject and, as only the first volume has been prepared for press, he could, with comparative ease, note and set aside provisions of a legal nature of all treaties during the period covered by his examination, whether they are in effect or not. Professor Basdevant has agreed to undertake the work, but no final arrangements have been made, as, before entering into a contract, it will be necessary to discuss with him the details of the project and to determine the best method of procedure.

For the time being it is not contemplated to make any arrangements regarding the question of the careful and systematic survey in the form of codification, as this depends, in the opinion of the Director, upon the collection and publication of the texts of the treaties.

### Exchange Professors of International Law

In the report of the Division of International Law for 1912, as printed in the Year Book for that year, pages 153-4, the Director called attention to the benefits that would accrue from an exchange of professors of international law. The question had been considered by the Consultative Committee of the Institute of International Law at its session of 1912 in Christiania, and the establishment of such an exchange was, after careful discussion and consideration, unanimously recommended to the Endowment. It seems unnecessary in this place to enlarge upon the subject, as the arguments in support of the recommendation were stated in the report in sufficient detail.

The delivery of lectures on international law in the colleges and universities of the United States by such an exchange professor would be directly in line with a suggestion made by Mr. Andrew D. White at the meeting of the Board of Trustees on November 14, 1913. At that meeting, in considering the recommendations in the report of the Director on the teaching of international law in the educational institutions of the United States, made pursuant to the resolution of the Board of Trustees adopted at its meeting of December 14, 1911, directing the preparation of a plan for the propagation, development, maintenance and increase of sound, progressive and fruitful ideas on the subject of international law and arbitration, Mr. White made the suggestion that the Executive Committee should provide for the delivery of lectures on the subject of international law and arbitration, their history and development, by eminent men well versed in these subjects before colleges and universities in different educational centers of the country, so as to call these subjects to the attention of the students and to enlist their interest in them. The resolution of December 14, 1911, referred to also contains the suggestion that in proposing the plan especial provision be made for the development of international law through addresses delivered before the leading universities, colleges and law schools of the United States.

The Director therefore renews the recommendation of the previous year and suggests that the Honorable Francis Hagerup, member of the Permanent Court of Arbitration, at present Norwegian Minister to Denmark, The Netherlands and Belgium, and formerly president of the Institute of International Law, be invited by the Endowment, through the Division of International Law, to deliver courses of lectures, not to exceed four in number, on certain phases of international law and its recent development, in various universities of the United States, and that the Director of the Division be authorized to make arrangements for his visit to this country in the spring of 1915.

In view of the fact that Mr. Hagerup's qualifications are so well known, we might wholly omit them and content ourselves with the statement that he speaks English easily, gracefully and idiomatically. It will, however, not be amiss to

state that Mr. Hagerup was for many years professor of international law at the University of Christiania; that he has on two different occasions been Prime Minister of his country; that he was president of one of the commissions at the Second Hague Peace Conference; and that his reputation as a publicist is almost as well recognized abroad as it is at home.

### **Visit of His Excellency Gregers W. W. Gram to the United States**

The American Society of International Law placed upon the program of its annual meeting held at Washington, April 24-26, 1913, topics covering the various phases of the Panama Canal question and the controversies to which the Hay-Pauncefote Treaty of November 18, 1901, has given rise. It occurred to the Director of the Division that, as the subject was international in its nature, an attempt should be made to procure the attendance and discussion of these questions by foreign publicists whose countries were not involved in the dispute. The Director laid the matter before the Executive Committee at its meeting of February 7, 1913, and a sum of money was allotted to defray the traveling expenses of such foreign publicists as might accept the invitation of the Society to attend its annual meeting and discuss the questions in dispute. A proviso was attached to the effect that such publicists should be of sufficient eminence and authority as to make their opinions valuable.

Of a number of foreign gentlemen invited, the distinguished Norwegian statesman and publicist, Mr. Gregers W. W. Gram, decided to accept the invitation, and he prepared and delivered an admirable English address on the question of the Panama Canal as it appears to a careful, thoughtful, and conscientious person whose country was not directly involved in the dispute. Mr. Gram's address is published in the *Proceedings* of the annual meeting of the American Society of International Law, pages 41-52.

### **The Teaching of International Law in American Institutions of Learning**

In the Year Book for 1912 (pp. 128-130), referring to the resolution of the Honorable Andrew D. White, relative to the teaching of international law in American institutions of learning, the Director stated that the report called for by the resolution would be submitted to the Board of Trustees in advance of the next annual meeting. The Director accompanied this statement with a memorandum containing recommendations calculated to further the purpose of the resolution which directed the Executive Committee of the Endowment "to propose and carry out, subject to the approval of this Board, a plan for the propagation, development, maintenance and increase of sound, progressive and fruitful ideas on the subject of arbitration and international law and history as connected with arbitration, especially through addresses or courses of lectures delivered before the leading universities, colleges and law schools of the United States, and to

report on the same at the next regular meeting of the Board, or, should the committee think best, at a special meeting to be called for that purpose". These recommendations are printed in full in the Year Book for that year.

At the annual meeting of the Board of Trustees on November 14, 1913, the subject of the teaching of international law in the United States was discussed, the President calling attention to the printed report which had been distributed previously to the Trustees, and to the recommendations of the Director of the Division of International Law, referred to above, which recommendations had been approved by the Executive Committee. After the reading of these recommendations, the following resolution was proposed and, after a full discussion by the members of the Board, adopted:

*Resolved*, That the report and recommendations of the Division of International Law on the subject of education in the field of arbitration and international law and history as connected with arbitration be referred back to the Executive Committee with power.

No action has been taken as yet by the Executive Committee under the authority imposed by the resolution.

The printed copies of the report on the teaching of international law have been distributed throughout the United States to all universities and colleges having a course in international law or related subjects, as well as to a selected list of eminent publicists. The acknowledgments received have been very gratifying to the Director as evidencing a great interest in the subject and thus forecasting greater progress in the advancement of the purposes of the Endowment, as outlined in the resolution of Mr. White.

At a meeting of the Executive Committee on April 18, 1913, the following resolution was adopted:

*Resolved*, That the Committee approves that part of Recommendation 3 of the report on the teaching of international law which reads as follows:

That the American Society of International Law be requested to place on the program for its next annual meeting the subject of the teaching of international law in American institutions of learning.

Pursuant to this resolution, the Director, on December 27, 1913, addressed a letter to the American Society of International Law with a view of obtaining its assent to the proposal contained in the resolution. In this letter he recited the purpose of the report and stated that "the Director of the Division felt that before taking any definite steps toward the formulation of such an important plan it would be of very great assistance if the American Society of International Law, the object of which, 'to foster the study of international law and promote

the establishment of international relations on the basis of law and justice,' is almost identical with the object of the resolution of the Board of Trustees of the Endowment, could be induced to take an interest in the plan and lend its invaluable assistance in carrying it out."

The Director then referred to the recommendations made by him to the Board of Trustees at its annual meeting on November 14, 1913, which recommendations had received the approval of the Executive Committee and of the Board. He stated that these recommendations were framed with the view of inviting the coöperation of the American Society of International Law, and embodied them in his letter as follows:

(1) That the American Society of International Law place upon the program for its next annual meeting the subject of the teaching of international law in American institutions of learning.

(2) That teachers of international law and the deans of all law schools in which international law is not now taught be invited to attend the meeting and participate in the discussion.

(3) The traveling expenses of such instructors of international law who would otherwise be unable to attend will be paid by the Endowment.

(4) The conference of teachers thus held in connection with the meeting of the Society would be especially asked to consider:

(a) Plans for increasing the facilities for the study of international law; for placing the instruction on a more uniform and scientific basis; and for drawing the line between undergraduate and graduate instruction;

(b) The question of requiring a knowledge of the elements of international law, for candidates for advanced degrees;

(c) The advisability of urging all institutions, with graduate courses in law, to add a course in international law where not already given;

(d) The advisability of calling the attention of the State bar examiners to the importance of requiring some knowledge of the elements of international law, in examinations for admission to the bar;

(e) The advisability of requesting the American Bar Association, through its appropriate committee, to consider the question of including the study of international law in its recommendations for a deeper and wider training for admission to the bar;

(f) The desirability and feasibility of plans for securing the services of professors of or lecturers on international law, to whom can be assigned definite lecture periods in institutions where international law is not now taught or is inadequately taught,—these services to rotate between institutions where they will be acceptable;

(g) The advisability of requesting universities which now have summer schools to include among the subjects offered courses on the elements of international law, and, if there be occasion for it, to offer advanced courses of interest and profit for advanced students and instructors.

(5) Finally, the Endowment would request permission from the Society to circulate at the Endowment's expense the proceedings of the next annual meeting containing the discussions and conclusions of the above questions among the educational institutions of the country.

At a meeting of the Committee on the Eighth Annual Meeting of the Society held subsequent to the receipt of the Director's letter of December 27, 1913, it was agreed that the subject of the teaching of international law be placed on the program for the next annual meeting of the Society to be held in Washington, April 22-25, 1914.

The Director feels that the results of the discussion which will, no doubt, be had on this subject at the meeting of the Society will be of incalculable benefit in promoting the plan of the Endowment, as adopted, respecting this important subject.

### Subventions to Journals of Public International Law

#### REVUE DE DROIT INTERNATIONAL ET DE LÉGISLATION COMPARÉE

A complete statement respecting this *Revue* is given in the Year Book for 1912 (pp. 138-140).

A subvention of fr. 5,000 to this journal was included in the budget submitted by the Executive Committee to the Board of Trustees at its meeting on April 18, 1913, and at its meeting on May 24, 1913, the Executive Committee passed a resolution allotting this sum. A financial statement of the affairs of the *Revue* had been previously received. The Director in advising the editor of the subvention stated that it was to be expended in such manner as to strengthen the *Revue* through enlarging its circulation, and otherwise to increase its usefulness.

A financial statement for the year ending December 31, 1913, has been received, from which it appears that the financial condition of the journal has improved since the last report by a considerable decrease in accumulated bills.

The Director believes that much good has been accomplished by this annual subvention in the increase in value of the articles printed, as well as by reason of the fact that the subvention affords means to the collaborators for the wider distribution of reprints of their articles.

#### JAPANESE JOURNAL OF INTERNATIONAL LAW

The allotment of \$1,300 to this journal by the Executive Committee, at its meeting on May 25, 1912, has proved to have been worthily bestowed, to judge from the character of the numbers which have been received. The utmost appreciation has been expressed by those directly connected with the journal, and every effort appears to have been made to expend this subvention to the best advantage. As an evidence of the desire of the management in this regard, the following extract is taken from the letter of one of the editors:

In order to meet the good-will and sympathy of your Endowment, we have been taking steps for the popularization of international law (one of the main objects of your Endowment) by

- (1) Enriching the contents of the journal.
- (2) Lowering the price.
- (3) Advertising as extensively as possible.

Further, we are looking forward, in the near future, to adding to the journal essays written in the western languages. It is, however, accompanied, to our regret, with difficulty in collecting the materials and an extraordinary swelling of the expenses.

The fact that the journal is almost entirely printed in Japanese renders it very difficult for one to obtain a knowledge of the character of the articles printed. The Director expressed himself on this point in a letter to Professor Takahashi:

On looking over the table of contents of recent numbers of the *Revue*, I am filled with regret that I do not understand Japanese, for there are many articles that interest me, and I have no doubt that they are as valuable as they are interesting. I am curious to know what you say about the Carnegie Endowment for International Peace in the January number, and you can readily understand that I am interested in your article on the life of Richard Zouche, to which you have prefixed the beautiful portrait contained in the edition of Zouche which has recently appeared in the series of International Law Classics. Then, too, I should like to know the status of international law in Japan. I would doubtless be instructed by Mr. Amô's article on the Panama Canal, and I am naturally attracted by the notes on American diplomatic affairs.

Without going into further details, I am, in a word, interested in every article contained in the January and February numbers, not to speak of the matter contained in their predecessors, and I regret that, with the exception of your article on Japan and the United States, I can only read the titles, which you have been thoughtful enough to print in English. I shall try to have them translated because of my interest in Japan and things Japanese, as well as from the desire to broaden my horizon and to increase my knowledge of international law and international affairs.

In reply to this comment, Professor Takahashi makes the following statement:

It is, of course, our earnest desire to add articles written in English to our journal so that it may find European and American readers, if such course be not accompanied by an immediate increase in expense, which, to our deep regret, it is hardly possible for us to meet at present.

The Director presented to the Executive Committee, at its meeting May 24,

1913, a resolution which was adopted, providing for the continuance of the subvention for the fiscal year ending June 30, 1914, and he recommends that it be continued for the ensuing fiscal year.

#### GERMAN JOURNAL OF INTERNATIONAL LAW

The Director of the Division, in his report of October 26, 1912, to the Executive Committee, after reviewing the situation of international law journals in Germany, viz.: *Zeitschrift für Internationales Recht*, and the *Zeitschrift für Völkerrecht und Bundesstaatsrecht*, made the following statement:

While the Director was investigating the standing of the *Zeitschrift für Völkerrecht und Bundesstaatsrecht* and the advisability of aiding it either by direct subvention or by subscriptions for a certain number of copies, it was learned that prominent international lawyers of Germany, Austria and Switzerland were considering the establishment of a German journal of international law, intended primarily for circulation in the German-speaking countries; namely, Germany, Austria and Switzerland. He believes, however, that the question of a subvention to a proposed journal of international law should be held in abeyance for the present. It would be unwise to aid any one journal at the expense of another, and it would be the part of wisdom to bring about a coöperation between the journals rather than to create a new review which would necessarily compete with those already in existence. It is understood that negotiations toward this end are in progress. The Director is strongly of the opinion that the cause of international law in German-speaking countries would be much advanced if a single journal existed which could be regarded as the authoritative organ of German publicists and professors of international law and that the creation of a new journal which would compete with existing reviews is inadvisable.

During the past year further negotiations have been conducted between the different German international law professors interested in the two journals, and the Director has had, as a result, considerable correspondence with them, especially Professors Zorn, Huber, Kohler, Niemeyer and Wehberg. While the Director has given careful and sympathetic consideration to the subject, he has not arrived at any definite conclusion.

#### RIVISTA DI DIRITTO INTERNAZIONALE

A complete statement respecting this publication is included in the Year Book for 1912 (pp. 122-3).

The continuation of the subscription for 100 copies of this journal was authorized by the Executive Committee at its meeting on May 24, 1913, and sufficient funds to purchase the 100 copies allotted.

A statement as to the business operations of the *Rivista* during the year 1912 has been received, which indicates that the financial status of the publica-



tion has improved, there being a surplus over the printing and postal expenses for the year, whereas previous to the subvention, the editors were compelled to spend, from their private means, approximately fr. 1,000 annually. However, the director and collaborators receive no compensation whatever for their services. It is recommended that the subvention be continued for the ensuing fiscal year.

#### REVUE GÉNÉRALE DE DROIT INTERNATIONAL PUBLIC

This publication is described in the Year Book for 1912 (pp. 148-9).

A subvention of fr. 7,500 to this journal was included in the budget submitted by the Executive Committee to the Board of Trustees at its meeting on April 18, 1913; and at its meeting on May 24, 1913, the Executive Committee passed a resolution allotting that sum. Of this amount fr. 5,000 is to be retained by the editor as an honorarium, the remaining fr. 2,500 to be paid to the publisher, to be used for the purpose of remunerating the collaborators for their services. With reference to the latter-mentioned sum, the annual report required as to the financial condition of the journal has not as yet been received. The matter has been called to the attention of the editor. A recommendation is made that the subvention be granted for another year.

#### SPANISH EDITION OF THE AMERICAN JOURNAL OF INTERNATIONAL LAW

The translation into Spanish of the *American Journal of International Law* has progressed regularly during the past year, and there is slow, but gradual increase in the number of paid subscriptions. A number of copies of each issue of the Spanish edition is distributed throughout Latin America for the purpose of interesting readers and securing them as regular subscribers. The subjects of international law and foreign relations are naturally of interest to a limited circle of readers. This fact and the further difficulty of securing names of persons in Latin America make the work of building up a reasonably large regular subscription list a matter requiring much patience and a great amount of time. No opportunity is lost to bring the Journal to the attention of every person in Latin America whose name is available and who appears likely to take an interest in the subject. It is believed that eventually the whole Latin American field will be covered and the maximum circulation possible for a journal of this kind obtained in those countries. During the present year particular efforts are being made to place the Journal in government offices and in the editorial rooms of the periodical press of South America. A liberal policy of exchanges with appropriate South American journals has been adopted, which will result in securing notices of the Journal and its contents in the organs devoted to the professions and education.

### Subventions to Journals of Private International Law

#### JOURNAL DU DROIT INTERNATIONAL PRIVÉ ET DE LA JURISPRUDENCE COMPARÉE

The Executive Committee at its meeting of December 20, 1913, upon a recommendation made by the Consultative Committee of the Institute of International Law and laid before it with the approval of the Director, passed a resolution allotting the sum of \$1,000 from the appropriation for the Division of International Law for the fiscal year ending June 30, 1914, to provide for the purchase of 200 subscriptions for the year 1914 to the *Journal du Droit International Privé et de la Jurisprudence Comparée*.

This journal, published at Paris in the French language, was founded in 1874 by Mr. Édouard Clunet, and has been published by him continuously since that date with the collaboration of able and well known professors and jurists throughout the world. Mr. Clunet became an associate member of the Institute of International Law in 1875, and a full member in 1880. He has published numerous studies in his journal, the most important of which have also appeared in pamphlet form. The Journal appears every two months, each number containing several articles involving questions of private international law, analyses of actual cases, practical questions and solutions thereof, and an extensive commentary on current decisions involving conflict of laws, as well as a number of book reviews.

The volume for the year 1913 contains 1,720 pages, and its predecessors are similarly compendious. Pleasing features of this publication are its excellent summaries and thorough indexing. Its final number each year contains a table of legislation of the various countries, a systematic bibliography of public and private international law for the preceding calendar year, chronological and name indexes, and a carefully compiled analytical subject index.

The contents of the journals for the years 1874-1905, inclusive, have been made easily accessible by Mr. Clunet's *Tables Générales*, in four large volumes. It may be added that the subscription price for this journal is 22 francs in France, and 25 francs in foreign countries. A similar subvention is included in the estimates for next year.

#### REVUE DE DROIT INTERNATIONAL PRIVÉ ET DE DROIT PÉNAL INTERNATIONAL

At its meeting of December 20, 1913, the Executive Committee adopted a resolution allotting the sum of fr. 5,000 from the appropriation for the Division of International Law for the fiscal year ending June 30, 1914, as a subvention to the *Revue de Droit International Privé et de Droit Pénal International* for the period July 1, 1913, to June 30, 1914. This resolution was passed upon a recommendation of the Consultative Committee of the Institute of International Law, which was laid before the Executive Committee with the approval of the Director.

This *Revue*, published in the French language at Paris, is issued in four numbers to the year. It was founded in 1905 by Mr. A. Darras, and has been continued by Mr. A. de Lapradelle. The subscription price in France is fr. 20 per year, and fr. 22½ in foreign countries. Mr. de Lapradelle is professor of international law in the University of Paris, and an associate member of the Institute of International Law.

Professor de Lapradelle is assisted in this work by a corps of collaborators, among whom are many professors of international law, members of the Institute of International Law, statesmen and jurists. The *Revue* itself comprises nearly 1,000 pages a year, covering all the divisions of the subjects indicated by its title. The articles have the high quality to be expected from their eminent contributors. Decisions of courts of law are given in their texts, with syllabi. A feature is a department of thoughtful reviews of articles appearing in current periodicals. Other departments cover congresses and conferences, important documents, current happenings, and miscellaneous news. The estimates for next year make provision for the continuance of this subvention.

#### **American Society for Judicial Settlement of International Disputes**

The articles of association state one of the purposes of the Endowment to be "to promote a general acceptance of peaceable methods in the settlement of international disputes", and the Division of International Law is charged with taking steps to render this portion of the Endowment's work effective. It is a common statement that all roads lead to Rome, and, without going into details at present, it may be said that various means and agencies promote peaceful settlement. Diplomatic negotiation, whatever it may have been in the past and however it may, instead of settling conflicts, have embroiled nations in war, is the first and greatest means of peaceable settlement. This is, however, a governmental method, which nations employ as a matter of course and with which private individuals can have little or nothing to do. Should direct negotiation fail, resort may be had to good offices and mediation, friendly composition, commissions of inquiry, and arbitration. These are also official remedies beyond the control of the individual citizen or subject. But the rôle of the individual is not to be overlooked, nor are the services which individuals, as such, can render to be despised or underestimated. Admitting that diplomatic negotiations are conducted solely by governmental officials, it is nevertheless a fact that foreign offices are moved to negotiation by public opinion, and the often-expressed and unequivocal desire of the peoples of Great Britain and of the United States to effect a peaceable settlement of the "Alabama" claims resulted eventually in the negotiation of the Treaty of Washington of May 8, 1871, which submitted these and other claims to arbitration. In like manner, should diplomatic negotiation prove ineffective, other recognized methods of peaceable settlement, which have been enumerated as practically applicable after the breakdown of diplomacy, can be and should be

resorted to, and governments can either be persuaded or strengthened in their desire to employ these methods, if there be a public sentiment in favor of their application. If these various remedies be examined, it will be found that they are either diplomatic in their nature, or that they are not necessarily judicial, although they may be so. Good offices and mediation may produce a judicial settlement, but the settlement may be, and properly so, in the nature of a compromise. The essence of friendly composition is a settlement according to the judgment of a conscientious person,—not necessarily in accordance with principles of law. Commissions of inquiry find the facts of a controversy, without, however, having the force of a decision, although in many cases the finding of facts in disputes may be tantamount to settlement. Arbitration, which is loosely used as synonymous with peaceful settlement in its entirety, may be a compromise of differences on the principle of give and take, which is the essence of diplomacy, or it may be judicial, though it is not necessarily so; for a settlement "on the basis of respect for law," as provided by the Convention for the Pacific Settlement of International Disputes, does not necessarily mean that the decision shall be in strict accord with principles of law. Compromise of disputes submitted to arbitration may be very desirable, but nations in dispute should be in a position in advance of the award to know whether they may expect a compromise or judicial decision.

It has been felt by many believers in peaceable settlement, and expressed by Mr. Root when Secretary of State, that machinery should be provided for the judicial settlement of international disputes by a Permanent Court of Justice composed of judges by profession, who, as judges, would necessarily act under a sense of judicial responsibility. He therefore instructed the American delegation to the Second Hague Peace Conference to propose the establishment of such an agency, and as a result of his instructions and of the endeavors of the American delegation the Conference agreed to a convention of thirty-five articles providing for the constitution, jurisdiction and procedure of such a tribunal, to be known as the Court of Arbitral Justice. The difficulty of appointing the judges prevented the Court from being established by the Conference, but it accepted in principle the advisability of judicial as distinct from other settlement, and recommended that the judges should be appointed through diplomatic channels, after the adjournment of the Conference, so that the Court might be organized. This is again a matter for governments, but an enlightened public opinion may justify them, if not actually aid them, in the steps taken for the constitution of the Court. To create this public opinion the Honorable Theodore Marburg, lately United States Minister to Belgium, and the Director of the Division, at that time Solicitor for the Department of State, organized in the month of February, 1910, the American Society for Judicial Settlement of International Disputes. This Society held its first meeting at Washington in December, 1910, and thereafter has held meetings annually. Distinguished publicists and leaders of thought have attended and

taken part in the proceedings; the published volumes have been widely distributed, and the Endowment, upon the recommendation of the Director, has distributed a thousand copies of the *Proceedings*. The Society issues a quarterly bulletin devoted to different phases of judicial settlement, and a very great interest, not only in this country but in many foreign countries, has been created and focused by the Society and its publications, as appears from the numerous letters which have been received from publicists all over the world. Without going into details, it will perhaps be sufficient for the present purpose to state that several professors of international law have requested copies of the *Proceedings* to be used with their classes. A distinguished English jurist, a Lord Justice of Appeal, is in the habit of carrying a volume of the *Proceedings* with him on his travels, saying to the Director that he found it to be the best presentation of the advantages of judicial settlement, and also that he found in the volumes of the Society information not to be obtained elsewhere.

More recently still a distinguished Russian publicist, a professor of international law at the University of St. Petersburg and Russian delegate to the recent Naval Conference at London, wrote to the Secretary of the Society:

You were so good as to send me the works of Reinsch and Borchard published by your Society. May I ask if I could receive Nos. 1 to 11 of the same publication, the quarterly bulletin, as well as the *Proceedings* of the national conference of the Society? I follow with interest the prominent action of the Americans in the fields of international law and would be very much obliged for your kind answer.

An English organization, the National Reform Union of Manchester, requested 1,000 copies of one of the bulletins for distribution in England, and distributed them among members of Parliament and other persons of prominence. It has also, from time to time, printed some of the bulletins in its publication.

A distinguished Japanese publicist, formerly Counselor of the Japanese Legation at Washington, to whom the Endowment sent, with its compliments, a number of copies of the *Proceedings*, felt justified in writing that:

All the universities to which I have sent copies of the Washington Conference in 1910 have written me expressing their thanks and cordial appreciation of the valuable contributions made to their libraries. A number of university presidents have also verbally thanked me. \* \* \* I think the introduction of sound judicial procedure into arbitration is of the highest importance.

Lest this list of appreciation should exceed the limits of space, but two further quotations will be made. The librarian of the University of Cambridge wrote the Society:

I am much obliged to you for sending to the above library the quarterly bulletin No. 8 of your Society and also the conference *Proceedings* for 1910, and shall hope to receive further volumes. They will be valued in our library just now, more particularly as our new professor of international law, Professor Oppenheim, lays great stress in his lectures upon the subject of arbitration.

And in a recent German monograph by Dr. Karl Strupp, entitled "International Arbitration," the writer feels justified in saying:

For the scientific propagation of the idea of a permanent court of arbitration, the American Society for Judicial Settlement of International Disputes has earned our lasting and undying gratitude.\*

The American Society for Judicial Settlement of International Disputes was organized because, while many societies advocating arbitration and peaceful settlement exist, there was, and with the exception of the Judicial Settlement Society there is, no organization devoted exclusively to the judicial settlement of international disputes of a legal nature. It does not compete with peace societies or peace agencies, properly so-called. It devotes itself to a portion of the field of peaceful settlement hitherto neglected. It has a list of a thousand members, many of whom are foreigners. It holds, as has been said, a conference each year and issues quarterly bulletins. It has no endowment, but is supported by the dues of its members and contributions from those interested in judicial settlement. It has expended \$8,000 to \$10,000 annually to advance the cause. The Director feels, however, that the Society is an agency doing some of the work for which the Endowment itself was created, and that it might properly be aided by the Endowment; but the Director does not feel that it should be taken over as a society and financed by the Division of International Law, as he believes that subventions without any requirement on the part of the subventionaires to raise money for their activities deaden initiative and therefore retard the cause which the subventions were intended to advance. He feels also that a society doing the work of the Endowment should not be forced to depend entirely upon its own resources, but that its resources might well be supplemented by the Endowment. He therefore recommended to the Executive Committee at its meeting on December 20, 1913, an allotment of \$3,000 to the Society for the period ending December 31, 1913, and an additional sum of \$2,500 for the period from January 1 to June 30, 1914. After carefully considering the proposal, the Executive Committee made the allotments recommended by the Director upon the conditions that like sums be raised by the

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\*"Für die wissenschaftliche Propaganda der Idee eines ständigen Schiedsgerichtshofes erwirbt sich dauernde, unvergängliche Verdienste die 'American Society for Judicial Settlement of International Disputes'". Karl Strupp, *Die internationale Schiedsgerichtsbarkeit*, Berlin & Leipzig, 1914, p. 101, note 192.

Society from other sources within the same periods and that the granting of the subventions involves no inference that they are to be regarded as permanent contributions by the Endowment.

The Director recommends that an item of \$5,000 be included in the budget for the fiscal year ending June 30, 1915, to be paid to the Society upon proof that it has raised an equal sum of \$5,000.

### **Bibliothèque Internationale du Droit des Gens**

Professors of international law have regretted the fact that treatises dealing with international law as a system, or monographs dealing with important branches of the system, are written in foreign languages with which neither professors nor students are ordinarily familiar, and they have expressed the hope that meritorious publications may be translated either into their own languages or into languages with which they are familiar. It may of course be said that, as international law is a system of law of universal application, a treatise in English will answer the needs of English-speaking students, provided it be the work of a competent author, and that foreign treatises are as unnecessary to the English or American student as a French or German translation of a Greek author would be. If it were true that international law is a universal science in the sense that mathematics, physics, chemistry and astronomy are universal sciences, it might well be that an English treatise by an expert would answer the needs of the English-speaking student, and yet it is believed that specialists in the sciences named would insist that foreign treatises were of great service to them personally and that their translation into English or into a foreign language easily read by the student would be in the interest of science. But the fact is that, whatever may be the theory, the principles of international law claimed to exist by one country are not recognized by others in exactly the same sense, and that the interpretation of recognized principles differs to such an extent as to question seriously whether the principles can be said to be universally accepted. The personal equation enters into the exposition of the subject, and the views of the writers are colored by their nationality, even if they are not to be considered as holding briefs for their respective countries. The authority of Professor Oppenheim can be quoted in support of this statement, and, although the Director has embodied it in a previous report, he deems it so material to the point at issue as to justify its repetition:

It is to be deplored that many writers on the law of war and neutrality should take every opportunity of explaining their political sympathies and antipathies, and should confound their own ideas of justice, humanity and morality with the universally recognized rules of warfare and neutrality. French books have contained denunciation of the Germans and the English, English books—Hall's classical treatise furnishes at once an illustration and

a warning—frequently condemn the Germans and the Russians, and the Germans on many occasions retaliate by condemning the French and the English.

Now, if Professor Oppenheim's view be correct—and its correctness is assumed for the purpose of his report—it follows that to understand international law as it is in fact, if not in theory, it is necessary to consult the views of foreign publicists who, consciously or unconsciously, reflect the principles and practice of their respective governments, and it is only possible to form an adequate notion of international law as practised by consulting works of authority published in different languages. By this method the professor and students are enabled to form a more definite conception of the system which one professes and the other studies. It is believed that the translation of well-known treatises in foreign languages will place at the disposition of persons interested in international law and its development the views of foreign publicists, which must be known and understood if the law of nations is to be taught other than as a national system, and that the translation and publication of treatises of authority would thus justify itself.

There is, however, another point of view, from which the subject may be approached. A knowledge of divergent views is essential to any one who attempts to reconcile them and from discord to produce, as it were, harmony. While it is believed that these views are sound and would justify the translation of works which have appeared in such well-known languages as French, German, Italian and Spanish, the justification would be still greater for the translation into English or some generally spoken language of treatises or monographs of an international character which have been written and published in languages which are spoken or written in but a single country. An illustration will perhaps make this clear and avoid the necessity of further argument. In 1910 the distinguished professor of international law at the University of Utrecht, Mr. J. de Louter, published a two-volume treatise on the law of nations, entitled *Positive International Law*. Unlike his distinguished predecessors, he wrote in Dutch, so that his work is the first treatise on international law which has appeared in his native language. Grotius and Bynkershoek wrote in Latin, and Jan Helenus Ferguson in English. It goes without saying that in so doing Mr. de Louter rendered a great service to his fellow countrymen, even though the educated classes in Holland write and speak with ease three or four foreign languages. The man in the street, to use a familiar expression, has discovered his power, and his ballot has the same effect in determining the foreign policy of his country as that of the linguist. But in writing his book in Dutch Professor de Louter shut himself off from the world at large, and the larger public knows little and can know little of his views. Every review of his book which has appeared has praised it as masterly and has suggested that it be translated into a language more



familiar to students of international law. Instead of extracts from reviews, the opinion of Professor Nys in the second edition of his treatise on international law is quoted. "The recent work," he says, "of Mr. J. de Louter gives proof of a vast knowledge of the science, of a judicious spirit, and of a real power of reasoning. It is to be hoped that the two-volume *Het Stellig Volkenrecht* will be translated into French or into English, and thus rendered accessible to others than to Dutch and Flemish readers."

Lest it appear that the translation into French or English of de Louter's work would have what may be called merely an academic value, it should be said that during the trial of the North Atlantic Coast Fisheries case at The Hague in 1910 British counsel relied upon certain statements contained in Professor de Louter's treatise, and American counsel were thus required to familiarize themselves with the doctrines of a work written in a language with which they were unfortunately unfamiliar, and which they could not in the limited time at their disposal master, as would have been the case, had it been written in a language more generally understood than Dutch.

Another illustration may perhaps be permitted. The distinguished Swedish publicist, Mr. Rikard Kleen, well known for his many writings on different phases of international law, which from time to time have appeared in French, had, like Professor de Louter, the patriotic desire to publish the first complete treatise on international law in his native language. This elaborate treatise is a sealed book except to those who read Swedish, and it is interesting to note in this connection that, although the volume dealing with the history and literature of international law was published a year after the appearance of de Louter's work, there is no mention of the latter in Mr. Kleen's text. A further illustration, if one were necessary, might be drawn from Russia, whose views upon international law must be admitted to have great importance in international relations. The treatise of the late Frederic de Martens has been translated both into German and into French, and by reason of this fact has had very great influence. The best work on the origin and nature of an international court which the Director knows was written in Russian by the late Count de Kamarowsky, and the history of the movement for its establishment, carefully traced by the learned author, is still the standard authority; but what influence would it have had, had it not been translated into French! The writings of contemporary Russian publicists, Messrs. Hrabar, Kasansky, Taube, and Nolde, are known only to the learned world by brief abstracts of them contained in book reviews, although Russian scholars rate them highly.

The Director believes that international peace can only be based upon justice, and that potent factors in bringing about and maintaining peace between nations are the development of a system of international law adequate to meet the needs of nations, and the dissemination of its just and enlightened principles.

The Director believes that one way to accomplish this is the translation of works of authority from the language of the original into foreign languages, so that they may be read and mastered by experts and students generally. He does not pretend that the mere translation and distribution of such works will effect an immediate change in public opinion or that the vast body of citizens or subjects of any country will avail themselves of the opportunity to read and to familiarize themselves with the works thus translated, but he does believe and states positively that the opinion of experts becomes ultimately the prevailing opinion, and that by means of journals of international law, societies of international law, instruction in the class room, and discussion in the press, the views of the few become the cause of the many.

Unwilling, however, to trust his own judgment on a matter of such importance and intricacy, the Director submitted the entire question to the Consultative Committee of the Institute of International Law at its meeting in Christiania, and the Committee unanimously recommended the translation, reprinting and dissemination, at a nominal price, of the best works on international law, and especially of works written in languages which reach but a limited circle of readers.

As the result of much thought and reflection, and after consultation with Professor Renault, it seemed best to organize a *Bibliothèque Internationale du Droit des Gens* and to place the series under the direction of a thoroughly competent person. It was felt by Professor Renault and others whom the Director consulted, that it might be advisable to translate a goodly number of books into English, French, German, and Spanish, and that for the German and Spanish section a German and a Spanish director should be appointed. It was decided, however, for the time being to try the experiment—for experiment it must be called—on a limited scale, and to create a French section under the general editorship of Mr. A. G. de Lapradelle, professor of international law in the University of Paris. The Director laid such a proposition before the Executive Committee at its meeting on December 20, 1913, and the Executive Committee authorized the Director to establish at Paris a *Bibliothèque Internationale du Droit des Gens* under the directorship of A. G. de Lapradelle for the supervision and editing of the translation into the French language of such works on international law as may be authorized by the Executive Committee. Professor de Lapradelle had previously expressed his willingness to act as director, and, in consultation with Professor Renault and other distinguished publicists, he has recommended the translation of a number of volumes. Arrangements are now being made with Professor de Lapradelle and with the Clarendon Press, the Endowment's foreign publisher, for the publication and inclusion in the series of the following works: Lawrence—*The Principles of International Law*; Liszt—*Lehrbuch des Völkerrechts*; de Louter—*Het Stellig Volkenrecht*; Scott—*The Hague Peace Conferences of 1899 and 1907*; Westlake: *International Law*.

### Publication of Treatises on International Law

Closely related to, but not identical with, the proposal to translate works written by authors in languages making but a limited appeal to the outer world, is the suggestion which the Director makes to the Executive Committee and to the Board of Trustees, without, however, proposing to carry it out at the present time, that the publicists of countries not having a treatise on international law written in the national language by a publicist of the country, be encouraged to prepare and publish treatises on international law. In so far as the proposal relates to the translation of existing treatises or monographs on international law, it may be said to be identical; in so far, however, as it relates to the future—that is to say, to treatises or monographs to be prepared and published,—it is different. But notwithstanding the apparent partial similarity, the proposal is in reality different and is meant to subserve an entirely different purpose. The first project aims to place before students of international law books or tractates of importance to them by reason of the excellence of the writing. The fact that such works are published in languages little read or understood by the great international public is only an additional reason for their translation. The present proposal, however, aims to make generally known the views of publicists of the different countries—in so far as those views can be said to reflect national opinion and practice—without making their translation depend solely upon the excellence or importance of their contents, the purpose being to make known these views and, by means of translation and publication, to familiarize the public with the conceptions of international law prevailing in each country forming a part of the society of nations. It is not maintained that these volumes have an official character, even though they may represent the views of the governments whereof the writers are subjects or citizens; but in the absence of an official declaration of their practice they are, it is believed, the nearest approach. They can not, for example, be compared to Professor Moore's *International Law Digest*, which, although prepared by a private citizen—for Mr. Moore was not connected with the government during its preparation,—was issued as an official document, and rightly so, for, although Mr. Moore quotes the views of text writers and constantly states in his own language fundamental principles of international law, the work is based upon the practice of the United States as it is to be gathered from official communications of Secretaries of State, official opinions of Attorneys General, or decisions of courts of justice on matters of international law. The preparation and publication of such a work by the governments of the world would have a value which it is impossible to overestimate; but it is believed that governments could not be induced to follow the example of the United States which, in this matter, stands alone. If it could be done, the material for the codification of international law would exist in an official form, and it would be possible to undertake seriously the work of codification with the hope of success. In the absence, however, of such

a digest as Professor Moore's, the preparation, translation and publication of works of the kind specified would, as has been said, be the nearest approach to an official statement of the views of the different governments that can be hoped for at present. The case is comparatively simple with existing literature, although in case of more than one treatise, a sound discretion must be exercised in the choice of the work. The importance of the project, however, as the Director conceives it, lies in the inducement to competent publicists of the different countries which do not have treatises on international law to prepare works on international law in their native languages; for they will know that, in addition to appealing to their countrymen, they will also appeal to the outside world, if the work is well done, merits translation, and actually is translated, published and circulated in French or in some other language generally understood.

The project thus stated might appear to make an appeal solely to material or selfish interests, for it is supposed that the writer is induced to prepare the work in order to become known to his countrymen and the world at large. Such, indeed, may be the consequence, but it is not the moving cause. Messrs. Kleen and de Louter did not write their works respectively in Swedish and in Dutch from any such motive, but for the purpose of giving their countrymen what they had not hitherto possessed—authoritative treatises on international law in their native languages. It is believed that these are not isolated cases, and that there are many competent persons in many countries who are deterred from publishing treatises for the benefit of their countrymen only by the fact that there would be little demand at home and none abroad. If, however, we regard a knowledge of international law as of value to the people at large, the publication of such books popularizes international law by disseminating its principles, and, if we further believe that the cause of international peace is advanced as the result of a correct understanding of principles of international law, it is easy to see that the Endowment, through its Division of International Law, would be justified in aiding the preparation, publication and distribution of treatises on international law in countries where they do not exist. But, as stated before, there would inevitably result from the translation and distribution of such works a larger knowledge of international law and international practice, so that the world at large would be the beneficiary. There is a great advantage in such treatises, which, as it does not lie upon the surface, should be stated lest it be overlooked. The mere existence of these treatises would tend to force the governments to respect and apply the principles of law contained in them, because it is common practice for text-books in foreign languages to be regarded as expressing, to a greater or lesser degree, the views of the countries whereof the authors are citizens or subjects; and foreign nations cite the authorities and rely upon them with insistence when the views of the writers happen to support their contentions. In speaking of the importance of the views of publicists, Sir Robert Phillimore says

in his *Commentaries upon International Law* that "if the authority of Zouche, of Lee, of Mansfield, and, above all, of Stowell, be against the demand of England—if Valin, Domat, Pothier, and Vattel be opposed to the pretensions of France—if Grotius and Bynkershoek confute the claim of Holland—Puffendorf that of Sweden—if Heinecius, Leibnitz, and Wolff array themselves against Germany—if Story, Wheaton, and Kent condemn the act of America, it can not be supposed (except, indeed, in the particular epoch of a revolution, when all regard to law is trampled under foot) that the *argumentum ad patriam* would not prevail—at all events, it can not be doubted that it *ought* to prevail, and should the country relying upon such authority be compelled to resort to arms, that the guilt of the war would rest upon the antagonist refusing to be bound by it".\* Sir Robert Phillimore here speaks as a writer, although he was a judge as well, and in the course of his career passed upon and decided many important questions of international law. As, however, his views in his *Commentaries* may be considered academic, or at least abstract, as he was not considering a particular case and applying the doctrine he stated, a famous passage may be quoted from the great Lord Stowell, who, in deciding the case of the Swedish convoy, said: "If authority is required, I have authority—and not the less weighty in this question for being Swedish authority; I mean the opinion of that distinguished person—one of the most distinguished which that country (fertile as it has been of eminent men) has ever produced—I mean Baron Puffendorf. \* \* \* In the opinion, then, of this wise and virtuous Swede \* \* \* his words are memorable. I do not overrate their importance when I pronounce them to be well entitled to the attention of his country".

The treatises which the Director has in mind are not treatises to be prepared by young men who have studied in foreign countries and have lost the national point of view without perhaps having assimilated the international, but treatises by men trained in theory and chastened by experience. Believing, as the Director does, that every treatise on international law bears traces of the nationality of its writer, he ventures to suggest that the treatise to be prepared in any particular country should be a national treatise, one frankly national, which should not pretend to state international law as a universal system and render such statement nugatory by national interpretation. The idea is to set forth, in so far as possible, international law as understood and practised in a particular country, for as it is bound to be more or less true in any event, the book will be more valuable if it speaks with absolute frankness, sincerity and accuracy. It is not meant by this that the treatise should reject the idea that international law is a universal system, but that, admitting and stating it to be such, the book should at one and the same time show in what manner and to what extent the universal system has been accepted, interpreted and applied by his country. The Director does not

\*Sir Robert Phillimore, *Commentaries upon International Law* (3d edition), vol. 1, pp. 64-65.

recommend at present any appropriation for this purpose. He has informally discussed the project with members of the Consultative Committee, who have thought well of it. He desires, however, their advice as a body and reserves any recommendation until the project has been presented and considered by the Consultative Committee of the Institute of International Law.

### **Preparation and Publication of a Spanish Treatise on International Law**

It has been suggested at various times and in various quarters that a short and readable treatise on international law, prepared by a competent Spanish scholar and publicist, in Spanish, would not merely tend to popularize international law in Spain, but that such a work would be widely read in Spanish America, just as a treatise on the law of nations published in England would be eagerly read in the United States. It has been thought that a work of moderate compass might be prepared and published without in any way interfering with the larger and more comprehensive treatises, such as the *Tratado de Derecho Internacional Público* (4 vols.), of the Marquis de Olivart, and the elaborate work in French of the distinguished Argentinian publicist, the late Mr. Calvo. It is to be feared that such works, although very valuable, make an appeal only to the specialist and not to the general reader.

There is another reason for a treatise of moderate size, because international law has grown very much within the last few years—notably since the meeting of the First Hague Peace Conference in 1899,—and the growth of international law during this period is not only remarkable for the increase of positive provisions binding the nations, but also for the newer spirit which, by means of the Conferences, is entering into it and changing not merely its content but its form. The Director believes that the publication of readable handbooks by competent publicists of different nationalities, intended principally for the reading, as distinct from the technical, public (although it is possible to combine the two, as Dr. Lawrence has done in his admirable *Principles of International Law*) would tend to popularize international law in the different countries where they appear, and would create a present interest in this very important subject. But for the present the Director recommends the preparation and publication of a Spanish treatise, because, if well done, it would circulate in no less than nineteen Spanish-speaking countries.

The Director's attention was called to Mr. Manuel Gonzales Hontoria, formerly under-Secretary of State in the Ministry of Foreign Affairs of Spain, as admirably qualified by study and by experience to prepare such a work. The matter was laid before the Executive Committee at its meeting of December 20, 1913, and the Director was authorized to confer with Señor don Gonzales Hontoria concerning the preparation of a work on international law in Spanish, and to submit a contract for such work at a subsequent meeting of the Committee for approval.

In pursuance of this resolution, the Director took advantage of his recent visit to Europe to have a conference with Mr. Gonzales Hontoria, who came to Paris for that purpose. Mr. Gonzales Hontoria expressed a willingness to prepare a work of the kind specified, in a single volume or not to exceed two volumes, as, given Spanish conditions, it would seem desirable. A suitable sum has been included in the budget for the ensuing fiscal year in order that the Director may enter into a contract with Mr. Gonzales Hontoria for the preparation and publication of the work referred to.

#### **Publication of English Translation of Professor Fiore's "Il Diritto Internazionale Codificato"**

The Director, in his report of October 26, 1912 (Year Book for 1912, pp. 155-156), explained this project. Since then the Board of Trustees and the Executive Committee have provided the funds for the translation and publication of the work. Pursuant to this authorization a contract has been entered into for the translation, which it is expected will be completed during the coming summer.

#### **Professor Oppenheim's "Zukunft des Völkerrechts"**

The Executive Committee on November 14, 1913, upon the recommendation of the Director, adopted a resolution allotting from the appropriation for the Division of International Law for the fiscal year ending June 30, 1914, \$200 for the translation into the English language of Professor Oppenheim's *Zukunft des Völkerrechts*.

This monograph of 65 pages, in the German language, was published in Leipzig by Wilhelm Engelmann in 1911. It was Professor Oppenheim's contribution to the series of essays prepared in celebration of the fiftieth anniversary of the admission to the Doctorate of Professor Karl Binding, of the University of Leipzig, of which Professor Oppenheim was a former student. After a brief introduction wherein the author states the nature of international law in times past, sketches the origin and development of the positive school of international law, and gives a rapid survey of the Hague and London Conferences, he takes up and discusses the questions of the organization of the international community, international legislation, and international administration of justice. As it is a distinct contribution to the literature of the subject of which it treats, a translation into the English language of this valuable essay will be widely welcomed.

#### **Das Werk vom Haag**

The Director in a lengthy report on this publication, printed in the Year Book for 1912 (pp. 156-7), discussed the advisability of rendering assistance to the editors. However, no action along this line has been taken, nor is any now

proposed. The Director, after carefully considering the subject, entered into correspondence with the editor with a view of securing authority to have translations made into English of the two volumes already published: *Staatenverband der Haager Konferenzen* and *Problem eines internationalen Staatengerichtshofes*. Assent having been given, the Director submitted a resolution which was adopted at the meeting of the Executive Committee on November 14, 1913, allotting a sum of money to provide for the translation of the two volumes. A contract has been entered into and the work of translating is in progress. It is hoped this may be completed during the coming summer.

### La Doctrine Scolastique du Droit de Guerre

At a meeting of the executive committee of the European Bureau of the Endowment, May 27, 1912, the following report was made and favorable action recommended respecting the publication of *Le Droit de Guerre*, a work by A. Vanderpol, president of the *Ligue des Catholiques Français pour la Paix*:

The executive committee returns to the American bureau with very favorable opinion the plan of Mr. Valentin, president of the *Ligue Catholique Belge de la Paix*, who asks for a sum of fr. 10,000 in order to assure the translation into Latin and the distribution in every diocese and seminary of the Catholic countries of the work of Mr. A. Vanderpol on the "Catholic origins of the rights of the people (*Droit des Gens*)". In demonstrating that the modern doctrines of the jurisconsults who wish to build peace on justice reunite, beyond the three centuries of monarchic absolutism, the teachings of the theologians before the Renaissance, Mr. A. Vanderpol works in the most efficacious manner toward reconciling the Catholic Church, essentially traditionalistic, with the movement which has resulted in the Conferences of The Hague. The founding of a Catholic Institute of International Law very recently, of which five cardinals are members, as well as fifteen bishops and about a hundred specialists, is the first result of his efforts.

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Mr. A. Vanderpool has published a work, *Le Droit de Guerre*, whose object is to show that the modern conceptions of the right of the people and of international arbitration reunite, over and above the XVIII century, the XIX century and the Renaissance, the teachings of the doctors of the Church, St. Augustin, St. Thomas, Victoria, etc. \* \* \* who, the first, established upon the right of war and of peace the principles from which Grotius and the founders of international law were inspired.

It has been acknowledged by all Catholic authorities that the publication of this book is an important event, for it is of a nature to prove to the Catholic clergy and to the Pope (Saint-Siège) himself that in supporting the modern movement in favor of judicial pacifism, the Church will only return to its best established traditions.

*La Ligue Internationale des Pacifistes Catholiques* considers that a Latin translation of the work of Mr. Vanderpol, while permitting to the members of the clergy and to the faithful of the most diverse countries to acquaint



themselves with the texts so usefully collected in this work, would overcome much resistance in these circles so timorous.

The edition of the Latin translation of the *Droit de Guerre* (Right of War) would be 10,000 copies.

The volumes would be sent

1. To the bishops of all dioceses, general curates, and large and small clerical colleges in every Catholic country.
2. To the abbeys, monasteries, *congrégations savantes* and Catholic colleges.
3. To Catholic universities and to faculties of theology and law.
4. To competent persons, special reviews, etc.

This action of the executive committee of the Bureau having been brought to the attention of the Director, correspondence was begun with Mr. Vanderpol, during which several changes in the project were agreed upon, including a different title for the work: *La Doctrine Scolastique du Droit de Guerre*. A statement by the author, descriptive of the contents of the publication, follows:

As for the volume itself, I desire that it should present a complete and scientific exposition of the doctrine of the law of war, which was the doctrine of Christianity and formed part of its public law. First, it should include an exposition; secondly, documents.

In the first part of the volume, there would appear:

- (a) An historical study, serving to introduce and place chronologically the authors whose works are translated or cited, that is to say, all authors, with very few exceptions, who handled this subject during the Gregorian period.
- (b) Studies included in *La Guerre devant le Christianisme* regarding the Old Testament, New Testament, and first Christians.
- (c) The scholastic doctrine of war, that is to say, the book *Le Droit de Guerre*.
- (d) Its abandonment during the last three centuries.
- (e) An appendix treating of various subjects related to war, but not directly to the *Droit de Guerre*.

The second part would contain the following translations:

- (a) The Decree of Gratian.
- (b) The chapter *De Bello* by St. Thomas.  
(These two documents are not very long and they are of great interest from the doctrinal point of view.)
- (c) The *De Jure Belli* and the *De Indis* by Victoria.
- (d) The *De Bello* and the chapters of the *De Legibus* relating to the international law of Suarez.

Each of these translations would be preceded by a notice or introduction: For instance, it seems to me necessary to know the history of the Spanish

conquest of America, and the discussions that arose on this occasion with regard to the rights of the King of Spain, in order to understand the *De Indis*; and in order to understand the international law in Suarez, it is likewise necessary to read a summary of his lessons on natural law.

We would thus have combined, in a single volume, all the elements of study together with the documents relating to the only doctrine which was accepted—at least, in theory—by civilized nations from the fourth century to the seventeenth. Its title might be *La Doctrine Scolastique du Droit de Guerre*.

With properly prepared tables, among them an *index rerum* and an alphabetical, classified, reference index, the work would attain to, but not exceed, 600 pages.

The Director recommended and the Executive Committee approved, at its meeting on October 20, 1913, the purchase and distribution of one thousand copies of the work upon its publication.

### Proposed Bibliography of International Law

At the meeting of the Institute of International Law at Christiania in 1912, the Marquis de Olivart proposed the preparation and publication of a bibliography of international law. The project was discussed and its undertaking was recommended by the Institute. The feeling was quite general that, while the proposed publication would be very useful, it would need to be carefully considered, the point of approach and extent of the work discussed, and an agreement reached upon the method of its arrangement. It was suggested that this was a project which the Division of International Law of the Endowment might properly undertake and that it should be referred to the Consultative Committee of the Institute, which had just been created at that session of the Institute, for the Endowment's Division of International Law. The question of the bibliography was therefore taken up by the Consultative Committee at its Christiania meeting, and the preparation and publication of this work by the Division of International Law was unanimously recommended and was included in the list of projects approved by the Consultative Committee, for the execution of which an appropriation was recommended by the Executive Committee at its meeting of October 26, 1912, and made by the Board of Trustees at its meeting of April 18, 1913.

A bibliography of international law such as contemplated by the Institute and recommended by the Consultative Committee is beset with many difficulties and needs to be carefully considered before any steps are taken for its realization. It had been the purpose of the Marquis de Olivart to exclude private international law—generally called in English the conflict of laws—from the scope of the work; but the members of the Institute of International Law, composed of specialists on international law, private as well as public, decided that private international law should properly be included, as it is very difficult to separate

one subject from the other, and as many works and articles worthy of finding a place in the bibliography deal with both subjects. Then again, the question arises whether such a bibliography should deal with the peace movement in its international aspects, or whether the peace movement as such should be omitted on the ground that various catalogs and bibliographies already exist for this portion of the project. If the peace movement in its different aspects be not included, where is the line to be drawn? The difficulty of the subject, however, should not be a deterrent, but counsels careful consideration before determining the contents of the proposed publication. The Director confesses to a certain doubt as to the usefulness of bibliographies, as the needs of the general reader are met by the existing lists of valuable works, and he can not wholly free himself from the feeling that the specialist in a particular subject is himself ordinarily more competent than the bibliographer to trace the works dealing with his subject which he may find it advisable to consult. He has, however, come to the conclusion that a bibliography of international law would be serviceable if prepared with the greatest care; but he would feel unwilling to recommend that the Endowment, through its Division of International Law, should undertake the work, unless a project had been carefully worked out by the Consultative Committee. One reason which has weighed with him in favor of the project is that so many of the lesser known writings dealing with international law, especially the works of the predecessors of Grotius, and indeed the works of not a few of his successors, are not to be found in the United States and what may be called the younger countries; that their existence and their contents can easily be overlooked by one who merely has access to libraries in these countries, whereas, if an adequate bibliography existed, it would be possible for persons in every country to inform themselves on these matters and to take steps to procure the volumes or to examine them, if they could not be obtained in the market, should occasion arise for their consultation.

The Director, therefore, while in favor of the project, does not feel justified in making any recommendation concerning it other than that it be considered by the Consultative Committee, although he feels that the proposal should be called to the attention of the Trustees.

#### **Bibliography of Latin American Writings on International Law**

At a meeting of the Executive Committee on May 24, 1913, the Director submitted a resolution, which was approved, authorizing him to arrange with Professor Reinsch for a bibliographical report on Latin American writings on international law.

In order that the Director might be able to inform the Committee fully regarding the proposed bibliography, he requested Professor Reinsch to submit his plan for the work, which he did as follows:

(1) Bibliographical. It would contain a complete list of all ascertainable writings on international law published in Latin American countries or by Latin American authors in other countries. In this report each item should be accompanied by a short explanatory and critical note giving a very brief synopsis of the contents, or indicating the relations of the work and its author to the general subject of international law.

(2) An historical account of the development of the science of international law in Latin America in which important contributions would be studied from the point of view of their relation to the advancement and development of the science, as well as in their effect upon the practical management of international affairs.

(3) A critical essay containing an appreciation of the contributions made by each country towards the development of international law, as well as an investigation of the manner in which the writers of the different countries were influenced by the political and social conditions under which they worked.

(4) A joint digest or index to all the principal topics dealt with in Latin American treatises and monographs on international law.

Since the action of the Executive Committee above indicated, Professor Reinsch has been appointed Minister of the United States to China, and is now at his post. Further correspondence will be had with him in order to ascertain what arrangements can be made for the preparation of the bibliography in view of the fact that Professor Reinsch's relations to the project may be changed by his entrance into diplomatic service.

### Classics of International Law

Although this series is not a publication of the Endowment, the fact that the Director of its Division of International Law is general editor of the series and that its publication supplies teachers, students, and general readers with the texts which have made international law, and that the series as a whole would fall within the Division of International Law, if arrangements had not been made with the Carnegie Institution of Washington for its publication before the establishment of the Endowment, the Director considers it not inappropriate to insert in the report of the Division of International Law an extract from the Year Book of the Carnegie Institution of Washington for 1913:

The project for the republication of the Classics of International Law was submitted to the Carnegie Institution of Washington in my letter of November 2, 1906, and shortly afterwards I was authorized to take supervision of the work as general editor. Two of the works specified in the original proposal have already been published, namely: the text of Zouche entitled *Juris et Judicii Feialis, sive, Juris inter Gentes et Quæstionum de Eodem Explicatio*, edited by Dr. Thomas Erskine Holland, the translation of which was made by Mr. J. L. Brierly. This work appeared in 1912. The very important treatise of Ayala entitled *De Jure et Officiis Bellicis et Dis-*

*ciplina Militari* was edited by the late Professor John Westlake, the translation was made by Mr. John Pawley Bate, and the two volumes were published in the course of the present year.

The text of Grotius entitled *De Jure Belli ac Pacis* has been photographed from the edition of 1646, and the volume has been issued. The translation has been made by Dr. John D. Maguire, professor of Latin in the Catholic University of America, and will doubtless appear in the year 1914.

Vattel's *Droit des Gens*, first published in 1758, has been reproduced photographically, and the English translation has been made by Dr. Charles G. Fenwick. It is highly probable that the work will be issued as a whole in the course of 1914.

The tractate by the Italian jurist, Legnano, entitled *De Bello, de Repressaliis, et de Duello*, written in 1360, but first published in 1477, is in press. Professor Holland, who edits the treatise, obtained the original manuscript from the University of Bologna, and it has been photographed by the Clarendon Press of the University of Oxford. Professor Holland has prepared a revised Latin text to accompany the manuscript, and has secured the services of Mr. J. L. Brierly, as translator of the text. The new edition of Legnano, with the original manuscript for the first time made accessible to scholars, will, it is confidently expected, likewise appear in the course of 1914.

Rachel and Textor are considered as having laid the foundation of the so-called positive school of international law, the school which rejects the alleged law of nature and relies upon the practice of nations as the basis of international law. The work of Rachel, entitled *De Jure Naturæ et Gentium*, appeared in 1676; the treatise of Textor, entitled *Synopsis Juris Gentium*, in 1680. I had secured as editor the services of Professor Ludwig von Bar, whose recent death the publicists of all countries deplore, and his introductions to these two works were already in type prior to his death. Mr. John Pawley Bate, who made the admirable translation of Ayala, has rendered the same service for Rachel and Textor, and it is hoped that one or both of these works will be published in the course of 1914.

The tractates of Victoria, entitled respectively *De Indis* and *De Jure Belli*, published in his *Relectiones Theologicae* in the year 1558, will be edited by the distinguished Belgian publicist, Professor Ernest Nys, who will supply a comprehensive introduction to the works of this author, who is justly considered not merely as an illustrious publicist, but as one of the founders of international law; the translation will be made by Mr. John Pawley Bate.

It is thus seen that the Classics of International Law are no longer a mere project, and it is hoped that editions of the works selected for republication will appear at regular intervals, as arrangements for their publication are made.

That the editions of Zouche and Ayala have been well received appears from the following extracts from reviews translated from the *Revue générale de droit international public*:

If we are to judge by the first volume of the collection, which has just appeared and which is devoted to the *Juris et Judicii Feialis* of Zouche (1590-1660), Mr. Scott has triumphed over all difficulties. The

volume is indeed a most noteworthy one, both in form and in content. The original text, reproduced photographically, brings the book itself back to life, and the English translation by Mr. J. L. Brierly is worthy of the author whose work it makes known. Mr. Scott's idea is to have the text of the works published in the "Classics of International Law," which include, in addition to Grotius, his chief precursors and his most renowned successors, preceded by an historical, biographical, and bibliographical introduction, written by a specialist in the law of nations. The *Juris et Judicii Feialis* was intrusted to Mr. T. E. Holland as editor. There could have been no happier choice. The world-wide reputation which the eminent British publicist has acquired, both by his courses on international law at Oxford, where he has long been professor, and the many books which he has published, was a sure guarantee that the introduction to the work of Zouche would be perfect. \* \* \* There is a fine portrait of the author as frontispiece to this work. It is to be hoped that this collection, published under the supervision of Mr. Scott, will continue to be enriched with editions as well executed as this, and that they will not be long in appearing. The publication of this series is a landmark in the history of international law. The learned American publicist deserves the thanks of the scientific world for undertaking this work. (Vol. XIX, 1912, pp. 419-420.)

After the treatise of Zouche, the *Juris et Judicii Feialis*, edited by Mr. Holland, there has now appeared the work of Balthazar Ayala, *De Jure et Officiis Bellicis et Disciplina Militari*, by Mr. Westlake. This new work is in every respect a worthy successor to the first. The introduction written by Mr. Westlake gives, with the customary conciseness of the learned professor, complete biographical information concerning Balthazar Ayala and an accurate commentary upon the different chapters of the treatise which is reproduced. It sets out in perfect relief the ideas which it contains and shows the influence which they had upon the development of international law. The activity with which the publication of the Classics is proceeding does great honor to Mr. Scott. The works he has selected for publication and the jurists he has chosen to edit them also entitle him to the gratitude of all who are interested in the law of nations. (Vol. XX, 1913, p. 546.)

#### Proposed Revised and Enlarged Edition of Dr. Lawrence's "Evolution of Peace"

In a volume published in 1885, entitled *Essays on Some Disputed Questions of International Law*, Mr. Thomas J. Lawrence published an essay on "The Evolution of Peace". In brief and attractive form Mr. Lawrence enumerated the factors which make for peace and called especial attention to the fact that private war between individuals had given way to judicial procedure and that the same slow process was taking place in international relations. He believed, as many fortunately now do, that just as the need of law had made itself felt in municipal relations, and had consequently been developed with appropriate agen-

cies for its administration, so in international relations a law had come into being which would do for the society of nations what the municipal code had done for individuals within national lines. He traced the process and showed how from the regulation of warfare, just as from the regulation of private war, a body of laws was growing up whose tendency is to prevent war; and he analyzed the steps already taken which justified his belief that history would repeat itself on a larger scale. The essay is lost, as it were, in the volume, and the Director believes that a very great service to international law, and therefore to the cause of peace, would be rendered if Dr. Lawrence would revise and enlarge his essay in the light of subsequent studies, and of the developments which have taken place since its publication, so as to fit it for separate publication in a small and handy volume. He has discussed the matter with Dr. Lawrence, who is willing to do so. The Director is very anxious that this be done.

Although it is unnecessary to call attention to Dr. Lawrence's standing as a writer and thinker on questions of international law, it is believed that a list of his most important publications should be given: (1) *Essays on Some Disputed Questions in Modern International Law* (1884; revised edition, 1885); (2) *Handbook of Public International Law* (1885; 8th edition, 1913); (3) *Principles of International Law* (1895; 5th edition, 1913) [translated into French by Professor de Lapradelle]; (4) *War and Neutrality in the Far East* (1904); (5) *International Problems and Hague Conferences* (1908).

No special appropriation is needed for the publication of this very important little work—which would be as attractive in form as it is valuable in substance since Dr. Lawrence's literary gift is the delight and envy of his colleagues of the Institute of International Law,—as the funds already at the disposal of the Division are adequate.

#### **Suggested Republication in Revised and Permanent Form of Treatises and Essays by Professor Nys and the Late Mr. Rivier**

A distinguished French jurist has declared Mr. Nys, counselor of the Court of Appeals, professor of international law at the University of Brussels, member of the Institute of International Law and of the Permanent Court of Arbitration of The Hague, to be the greatest authority upon the origin and history of international law. It is no exaggeration to say that his *Origines du droit international* (published in 1894) has enabled students of international law to trace the steps by which the law of nations became a distinct and recognized system of law before the publication of Grotius' treatise *De Jure Belli ac Pacis* in 1625, and that this work made it possible for the student and the general reader to appreciate the elements which have entered into the composition of international law. Since its publication Professor Nys has continued his researches into the subject and is willing to put the work in final and literary form, in the light of his

completed studies, extending, as they have, over a period of more than thirty years. At the same time Professor Nys has written many valuable essays dealing with the origin and the progress of international law in different countries, and he has a goodly series of articles dealing with some of the fundamental conceptions of international law and incidents of an international character, of which some have been published in collected form, while others remain in the columns of periodicals. The Director has come to the conclusion, after conference with distinguished publicists, upon whose judgment reliance can be placed, that arrangements should be made with Professor Nys, by the terms of which his various contributions in addition to *Les Origines du droit international* should be collected, with such revisions as he may care to make, and published in permanent form. These various monographs and essays are in French, but the Director believes that some, if not all, should be translated into English. It is of course easy to say that the majority of readers who would be attracted to these publications can read French, and that therefore a translation into English would be of little service and a waste of money; but a very considerable experience in the class-room and a somewhat varied experience with men of affairs leads the Director to believe that English-speaking students prefer to read recognized texts in English, and that even men of affairs with a knowledge of French likewise prefer English. If the purpose of the Division of International Law were wholly scientific, the publication of its undertakings in a foreign language such as French, which is largely, if not generally, understood by the experts to whom such publications appeal, would be sufficient. But the Director believes that the work of the Division should be called not merely to the attention of the select few but also to the uninformed many, and that any difficulties in the way of its comprehension should be removed. The work of the Division, as he understands it, is scientific and at the same time propagandistic, although the propaganda is scientific in character. As regards the works of Professor Nys, he believes that they should appear in the first instance in the language of the author and that they should form a part of the *Bibliothèque internationale du droit des gens*, previously referred to in this report. He therefore confines his recommendation for the present to a revised and definitive edition of the selected writings of Professor Nys, leaving the question of their translation and publication in English by the Clarendon Press open for the present.

It is believed that the writings which Professor Nys would wish to publish in revised and permanent form in the *Bibliothèque internationale du droit des gens* would not exceed the compass of three moderate volumes, one of which would be the revised edition of *Les Origines du droit international*, and the other two would be composed of essays of an historical nature, including his various contributions to the growth of international law in England, France, Spain, and especially his masterly and highly flattering account of the growth of international law in the United States.



In this connection it is proper to speak of a project which the Director has discussed with Professor Nys and which the latter is willing to undertake. The late Professor Rivier, well known for his masterly *Principes du droit des gens* (2 volumes, 1896), and his smaller German *Handbuch des Völkerrechts auf Grundlage europäischer Staatspraxis* (1886), contributed a very remarkable and exceedingly valuable historical survey of the systems and theories of international law since Grotius to the first volume of von Holtzendorff's *Handbuch des Völkerrechts* (1885, pp. 395-523). The first volume of the *Handbuch* was translated into French and published in 1889; but, so far as the Director knows, Professor Rivier's survey has not been published separately. It is no exaggeration to say that Professor Rivier's article is indispensable to the student of international law; but it is inadequate in two respects. In the first place, it necessarily gives no information of works published since 1885, and in the next place the few pages devoted to the predecessors of Grotius give no idea of the services which they rendered, as can easily be seen by an examination of Professor Nys's *Les Origines du droit international*, which, however, appeared subsequently to Professor Rivier's article. In an interview which the Director recently had with Professor Nys, the value of Professor Rivier's survey was discussed, and Professor Nys stated his willingness to revise it by prefixing an adequate chapter on the predecessors of Grotius and by a continuation of it down to and including the present year.

No special appropriation is asked for these different projects, as the funds at the disposal of the Division of International Law are, it is believed, adequate to carry them out. The Director has, however, felt it incumbent upon him to call them to the attention of the Board of Trustees.

### A History of International Arbitration

The proposed charter of the Endowment states its objects to be "to advance the cause of peace among nations, to hasten the abolition of international war, and to encourage and promote a peaceful settlement of international differences". To the Division of International Law has been assigned the duty to propose and to carry out projects of a kind tending "to promote a general acceptance of peaceable methods in the settlement of international disputes". It requires, it is believed, no argument to support the statement that the best way to prove the practicability of employing peaceable methods in the settlement of international disputes is to show that disputes have been peaceably settled, and that the ordinary method today is the arbitration of differences between nations which diplomacy has failed to adjust. We are here on safe ground because we can do what has been done. The element of persuasion does not enter. It is merely a question of fact whether disputes have been settled peaceably and whether a particular method in question has been used. Persuasion may be re-

quired, however, to bring about a more frequent resort to peaceful settlement or to a particular method of friendly adjustment. But in this case it would seem that the best method of persuasion is to show not merely that the particular method has been used, but the extent to which it has been used. This is again a question of fact. It is also believed that the best way of proving that a particular remedy applies to a very large category of disputes, or that it is in effect capable of well-nigh universal application, is by an enumeration and analysis of the cases in which it has been employed.

To speak in clear terms, arbitration is not a recent device for the settlement of differences between nations, although it is resorted to more frequently than at any time in past history. It was not the happy thought, the sudden inspiration, nor the deliberate creation of Great Britain and the United States, although the Jay Treaty of 1794 between those two countries introduced a practice to the modern world which had been overlooked, forgotten, or consciously neglected in the century or two before the negotiation of this deservedly famous treaty.

Thus, the great German publicist, George Friedrich von Martens, justly regarded as one of the founders of international law, writing in the period of the French Revolution, said of arbitration that "this measure much used during the whole of the Middle Ages, has not been entirely abandoned up to the present day, but the examples of arbitration offered and accepted have become rare and more rare from an experience of the drawbacks which seem to be inseparable from this method, which is ordinarily insufficient especially because of the lack of an executive power" (*Précis du Droit des Gens* [French edition, 1821], p. 318). And Klüber, likewise a German publicist of distinction, writing somewhat later in the same stormy period, said truly enough that "this method has been neglected for several centuries" (*Droit des gens*, 1819, edited by Ott, p. 406).

It has seemed to the Director that an accurate and readable history of international arbitration would render a very great service to the cause of peaceable settlement, and he proposed to the Consultative Committee at its meeting at Christiania in 1912 the preparation and publication of a scientific and exact history of arbitration. The Committee was unanimously in favor of the project, and, to quote the minutes of the meeting, "shared the opinion expressed by Mr. Scott that the histories of arbitration hitherto published have not been written, with the exception of a few monographs, in a scientific spirit, but rather in the spirit of pacifism; that between the spirit of pacifism and the spirit of peaceable settlement there exists the difference that there is between Utopianism and reality: impatient partisans, far from advancing the cause of peace, are in reality an obstacle to its realization, and retard its progress".

It is believed that these views are as true today as in 1912. It is not meant, however, to suggest that there are not some good and readable accounts of arbitration and its history, but that as a rule such accounts are fragmentary. They

sometimes include in arbitration other methods of settlement—methods of a different nature,—and they often overstate the case in the supposed interest of arbitration, though in so doing they become partisans and lose the claim, which they might otherwise have, to be considered as authoritative accounts of the history of arbitration. There is, however, one excellent French work dealing with the subject, and written by an international lawyer of distinction; namely Mérignhac's *Traité théorique et pratique de l'arbitrage international le rôle du droit dans le fonctionnement actuel de l'institution et dans ses destinées futures*. It is to be noted, however, that this work appeared in 1895, before the meeting of the First Hague Conference, and that since its appearance arbitration has been the subject of much study and investigation.

We now know, not merely from the evidences of Greek historians and from the fragments of treaties that have been preserved, but from inscriptions which archeologists have from time to time unearthed, that arbitration was not merely a favored theory with the Greeks but that it was very often their practice, and that the cases which have fortunately been preserved cover a very large field of international relations. We also know from the same sources that the treaties of arbitration were often general, pledging the contracting countries to submit their future disputes, instead of dealing with special and isolated cases, and that arbitral procedure was strangely like that upon which the Hague Conferences have put the seal of their approval.

A masterly work, *L'arbitrage international chez les Hellenes*, by M. A. Raeder, was issued in French, in 1912, as the first publication of the Nobel Institute. There is no reason why an equally valuable monograph should not be written by a competent authority on the cases of arbitration during the Middle Ages, and that a third monograph of the same character should not deal with the cases of arbitration since Jay's Treaty of 1794. The purpose, however, of the present section is not to urge that arbitration be split up into periods and treated in monographic form, but that a work at once popular and scientific should be written upon arbitration from its beginning in Greece until the present day. The Director believes that Mr. Mérignhac, professor of international law in the University of Toulouse, is both competent and willing to revise his treatise on international arbitration in the light of subsequent investigation, and to bring it down to the present day. It is essential that a history of arbitration, or that an analysis and classification of arbitral awards, be made by one whose specialty is international law. Otherwise we are likely to have a work upon a technical subject produced by a layman. It is, however, equally essential for the purposes of the Endowment that the work, while thoroughly scientific, be written in a literary style, because our purpose is to attract, not to repel, the reader, whether he be specialist or layman. Professor Mérignhac's work is careful, thoughtful, and scientific; and, so far as the Director is competent to pass upon a foreign language, it is written in easy, flowing, and attractive French.

No appropriation is asked for such a work, as the funds at the disposal of the Division of International Law are sufficient to cover the expenses of its publication in the *Bibliothèque Internationale du droit des Gens*.

### **Encouragement for Preparation of Works Dealing With International Law and Particular Phases of International Relations**

In connection with the translation of works on international law which have appeared in foreign languages, and with the preparation of treatises on international law by publicists of different nationalities, especially in countries which have as yet no national treatises, there is a matter which might properly have been included in either one of these sections, but which from its particular importance seems to deserve special treatment, namely "encouragement, by means of subventions, of the publication of works or of collections dealing with international law, which, notwithstanding their evident scientific interest are not, by reason of their limited commercial market of interest to publishers".

The immediate occasion of this recommendation of the Consultative Committee of the Institute of International Law was the proposal of Sir John Macdonell of Great Britain to prepare "A collection of the most important treaties since the Peace of Westphalia; notes and critical examination of the text of such treaties, to be based upon information obtained from the archives of the states; a political history both of the form and of the content. The work would consist of two volumes; the first an introduction; the second the text of the treaties."

This proposal was submitted to the Consultative Committee at its meeting at Christiania in 1912 and gave rise to a very interesting discussion, which resulted in the unanimous approval by the Committee of the recommendation above quoted.

It seems advisable to make some comments of a general nature upon this recommendation before taking up Sir John Macdonell's proposal. Officials of departments of state and of foreign offices are obliged to submit opinions on many important and intricate questions with little time to investigate their nature and origin, and for this purpose they naturally turn to such literature on the subject as is at their disposal. It hardly needs to be said that their opinions have an importance far beyond the immediate occasion, because responsible heads of departments can not investigate for themselves and are forced to rely on the opinions of their assistants, who thus determine, it may be for years, the policy of their respective governments on the questions submitted to them. It is therefore of the highest importance that the opinion should be sound and based upon precedents, if precedents exist, or that they create precedents in accordance with the most enlightened principles of international law. The Director, when in the Government service, was frequently called upon for opinions upon subjects with which he was hitherto unfamiliar or which he had not investigated as he would have wished to do, and his experience, confirmed by that of others, leads him

to believe that carefully prepared monographs on certain phases of international law, particularly its recent phases, or upon subjects which by reason of recent development have assumed present importance, are a desideratum. Without considering subjects of a technical nature or which fall within the province of the expert, the following subjects may be mentioned: good offices, mediation, friendly composition, commissions of inquiry, and arbitration. These methods of pacific settlement are far from new, although since the First Hague Conference they have assumed in the popular mind and in the practice of nations a timeliness and an importance which they did not formerly seem to possess. It is often difficult to determine when a case is one of good offices or of mediation, and to distinguish between the two. The learned delegates to the First Hague Conference apparently failed to note any appreciable difference between them and treated them in Articles 2-7 of the Convention for the Pacific Settlement of International Disputes as if they were synonymous. Friendly composition is not mentioned in the original Convention of 1899, nor in the revision of 1907, and yet it has a distinct place in pacific settlement, and indeed was resorted to by the United States and Chile for the settlement of the Alsop case. Commissions of inquiry are, one might almost say, the order of the day, and yet there is, so far as the Director knows, no adequate treatment of the subject. The same is true of arbitration, which has an ancient and honorable history, and it may be said in passing that publicists are at loggerheads as to whether the system of arbitration recognized by the Hague Conferences is merely a prolongation of diplomatic negotiations, which have failed to effect a settlement, and therefore the creature of compromise, or whether it is a judicial remedy. Again, there are no adequate treatises assigning to each of these important remedies its proper sphere, and, so far as the Director is aware, there is no work or works pointing out clearly and distinctly when one or the other remedy can properly or appropriately be resorted to for the settlement of international disputes. These are but a few of the many topics which might be mentioned, and they have been chosen solely because of their familiarity and on account of the glibness with which any one of them is prescribed as a general or universal panacea.

The Director has taken occasion to discuss these matters with the members of the Consultative Committee, and he finds that their state of mind is very much like his own, and yet, if these remedies are to be applied between nations, and if public opinion is to force them upon responsible officials, it would seem that we should be clear in our minds as to the exact nature, scope, applicability, and appositeness of each. The Director therefore has been forced to the conclusion that these subjects should be carefully treated; that their nature and origin should be investigated; that the instances of their application should be collected and classified; and that a serious attempt should be made in order to determine, as the result of study and reflection, the cases or categories of cases, which can properly

or best be settled by each of them. Until this is done, the confusion which exists will not be cleared up, and we can not insist that nations apply them indiscriminately as public opinion seems to suggest.

For the present, however, the Director makes no specific recommendation for the preparation of works or monographs dealing with these subjects and others of equal importance. He feels it his duty, however, to make these statements as indicating the policy which he believes the Division of International Law should pursue if it is to be a factor in the development of international law and in the dissemination of its principles as prerequisite to an international peace based upon an adequate system of law, its interpretation and application.

To return to the proposal of Sir John Macdonell, which has suggested these observations: Sir John's project contemplates a work to supply "students of international law with the texts of the chief treaties or the important parts of such treaties since the Peace of Westphalia [1648], especially such as have a living interest and a bearing on the international problems of today". The texts selected for publication would, where necessary, be preceded by brief introductions stating the circumstances which gave rise to the treaty, its modification in whole or in part by subsequent treaties, and its abrogations, if abrogated. Footnotes would be freely used and cross references would be made, in order to show the process of change. The book, in the language of the proposer, would be "*a codex diplomaticus* for the student."

The work itself is to be preceded by an introduction, which should deal with (1) the forms of treaties; (2) their subject matter; (3) the salient characteristics of treaties. On the first point Sir John says:

Treaties, both in their form and matter, are the subjects of evolution or growth, and an effort will be made, with adequate illustrations, to show how from the Peace of Westphalia onwards there has been a continual adjustment, both in the form and matter of treaties, to meet international needs. We see gradually coming into existence behind the treaties the influence of legislative bodies and popular opinion moulding the inter-relationship of nations. In the earlier days of his reign Louis XIV regarded himself as the Arbiter of Europe—*l'État, c'est moi*; treaties took the form of letters patent and had more the substance and appearance of decrees. Toward the end of his reign his attitude towards other nations and the general inter-relations of nations had taken quite a different note. Before the XVIIIth century was ended, it seemed for a time both to statesmen and jurists as if in reality nation was to negotiate with nation, and not kings with kings. That promise was not fulfilled. The advent of Napoleon brought back into the new Europe the early policy of Louis XIV. During the XIXth century great judges, both in America and England, had frequent opportunities to give practical development to the theory of international law; and those two nations also showed in growing measure the pressure of organized national opinion behind treaties. It is necessary, bearing all this in mind, to trace the history of the actual forms of treaties to elevate into, if possible, a

science the osteology of treaties, and to show how the growth of technical or formal structure is related to what may be called the moral or spiritual side of international law.

It is necessary, not only to trace the actual forms and modifications of forms of treaties, but to examine the changing forms of the negotiations that led up to treaties, beginning with the elaborate preliminaries to the treaties of Münster and Osnabrück and the Pyrenees, and passing on to treaties of far-reaching importance such as the treaty of peace between England and France, of September, 1697, signed at Ryswick. The introduction would describe modern treaties, as well as arrangements of binding force between governments that have little more formality than minutes of interviews or interchange of notes.

Something, too, must be said as to the virtual or actual extinction of treaties.

The consideration of the forms of treaties involves that of other matters; such, for instance, as the part played in treaty-making by mediators. The form of treaties has been largely dictated by mediators from the days of the Peace of Westphalia onwards.

The language of treaties has also to be considered, as well as the tongue or tongues in which the negotiations were conducted. The proposals to the Westphalian Conferences were conducted in Latin; the negotiations for the Peace of the Pyrenees were conducted in Spanish and Italian.

Two other points of lesser importance also arise; the actual text of the treaties and the custody of treaties. No doubt these are minor questions, but the importance of correct texts is obvious.

From the passage quoted it appears that the introduction would in itself be a justification for the work, because the intention of the proposer is to show, not merely the purpose which the negotiators had in mind, but also the origin and growth of the phraseology and forms of expression created by them, in order to give adequate expression to the negotiators' intent. We know how forms of procedure have controlled substance and how from forms of legal procedure substantial rules have been developed. This is not merely the case with the common law system of jurisprudence. It is equally true of international law and of diplomacy.

On the subject matter of treaties Sir John says:

The second part of the Introduction would deal with the subject matter of treaties with respect to particular subjects of permanent interest. Thus there are treaties of (a) alliance, (b) peace, (c) trade (including contraband), (d) private law. Under the first group we have before us the varying groupings of Powers designed to preserve the balance of power. Treaties of peace are in the main inseparable from treaties of alliance for, consciously or unconsciously, they create a new grouping of forces. Consequently treaties as regards their subject matter may be roughly divided into two groups:

- (a) Treaties of alliance and peace;
- (b) Treaties of trade and private law.

The Introduction would sketch in brief but clear outline the evolution of the idea of alliance. It would at the same time indicate the various efforts made by governments to secure an increasing uniformity of law.

This part of the project does not seem to call for comment other than that it would be a summary treatment of certain subjects of permanent interest. It would be of especial value in that the practice of nations in these matters would be analyzed and the essentials of treaties dealing with these subjects pointed out and made clear, as well as an analysis of the growth of such forms and of the process by which the forms have been devised.

On the third point Sir John says:

The Introduction would conclude with an examination of the leading treaties, partly with a view to illustrate Part II, but also with the view (a) of indicating the meaning in the evolution of the group-system of nations, of special territorial changes (such, for instance, as the transfer of Alsace to France, and then its re-transfer a century-and-a-half later to the new Germany); (b) of indicating the significance of dynastic marriages since 1648; (c) of showing the international benefits that have sprung from new departures in individual treaties (such, for instance, as the introduction of the idea of "the most favored nation" clause); (d) of pointing out how doctrines have grown little by little by special clauses introduced to meet special difficulties.

In short, the Introduction would familiarize the student with the facts of the history of the law of nations, and would aim at showing that the law of nations, like municipal law, is subject itself to a process of development that can only be ascertained by close attention to actual documents. To ascertain those laws is the business of the student; to supply the material is the object of this book.

It is estimated that one large volume of approximately 800 pages would be required by the author for the introduction and the texts of the treaties or parts thereof which he would select for printing, or that the work should consist of two smaller volumes of equal size, or that, finally, the introduction might form of itself the first volume to be accompanied by a thicker volume of the same format containing the treaties. If the work be well done—and the ability and standing of Sir John Macdonell are a sufficient guarantee of its excellence—not only professors and teachers of international law would have a work of a very enlightening and informing character, but persons, whose duty it is to consider and to draft treaties, would be laid under deep obligations to it. The proposal has been submitted to and approved by the Consultative Committee, and the Executive Committee of the Endowment, at its meeting of October 26, 1912, included the project in the appropriations recommended to and actually voted by the Trustees at the meeting of the Board on April 18, 1913, for the Division of International Law. Negotiations are in progress, and it is hoped that ar-



rangements can be made with Sir John Macdonell for the preparation and publication of the work in the near future.

### Report on the Neutrality Laws of the United States

A synopsis of this report appears in the Year Book for 1912 (pp. 130-1).

At the meeting of the Board of Trustees on November 14, 1913, the report in final form for publication was presented for consideration. Accompanying the report, the Director presented a statement of its purpose and scope, together with suggestions as to its distribution. He recommended that the report be published and sent to such persons and authorities as might seem appropriate or desirable, and that their suggestions and criticisms be invited. His recommendations were approved by the Board.

It was decided to send copies of the report to the President, Vice-President, Cabinet Officers, Senators, Members of the House of Representatives, Justices of the Supreme Court, Library of Congress, State and other Department libraries, to colleges and universities, professors of international law and others interested in the subject. Accompanying the copies forwarded to colleges and universities was a letter explaining the scope and purpose of the report and requesting the criticism and suggestions of the professors and instructors in international law with the object of throwing the greatest possible light upon the character of amendments which should be introduced into a new neutrality act.

It is expected that the replies which may be received will contain much valuable comment.

### Jahrbuch des Völkerrechts

The Executive Committee at its meeting of December 20, 1913, approved the recommendation of the Director of the Division of International Law for the purchase of 100 copies of Volume 1 of the *Jahrbuch des Völkerrechts*.

This first issue of the *Jahrbuch*, which is edited by Professors Th. Niemeyer and K. Strupp, and is published at Munich and Leipzig, contains 1,556 pages. It gives a survey of international development from September, 1911, to August, 1912, and does not compete with journals of international law nor with accounts of the year's happenings in so far as they concern international relationship to be found in encyclopedias.

The first part (pp. 1 to 372) of the work is a collection of the most important political documents of the period mentioned bearing upon international law and international relations. Each is printed in the language of the original.

The second part (pp. 373 to 1322) consists of separate articles and reports on the important events and questions of the year, written by persons who can justly be called specialists on the different subjects; reports upon the events which have taken place in the individual countries; and reports on congresses and conferences.

The third part (pp. 1323 to 1360) is a very serviceable record in tabular form of the signatures, ratifications, and terminations of treaties, and adhesions thereto.

The fourth part (pp. 1361 to 1452) consists of eleven articles on miscellaneous subjects bearing on international law and relations.

Part 5 (pp. 1453 to 1556) is an extensive bibliography and appendix showing the changes in the diplomatic representation of the several countries, with indexes both alphabetical and chronological.

Not only are the documents, as stated above, printed in their original languages, but the articles from the pens of the contributors are also printed in various foreign languages with which the reader and student are supposed to be familiar. The work is thus rendered cosmopolitan in language as it is in subject and treatment. The impartiality of treatment is evidenced in such instances as the Panama Canal question and the Morocco question by printing in juxtaposition the opposing views of authors of different nationalities.

This first volume of the *Jahrbuch des Völkerrechts* sets a high standard which will no doubt be maintained in future issues by its eminent editors and collaborators.

#### **De Lapradelle and Politis—"Recueil des Arbitrages Internationaux"**

This publication, which thus far comprises two volumes, has been fully described in the Year Book for 1912 (pp. 152-3). It will be recalled that the Executive Committee authorized at its meeting on January 27, 1912, the purchase of 100 copies of the first volume of this work and, at its meeting on October 3, 1912, the purchase also of 100 copies of the second volume. The Director entered into communication with the editors and publisher with respect to the particular institutions to which these copies should be sent. During the course of this correspondence, he directed that a list of institutions be prepared by the Division for transmission to the publisher in order that no delay might occur in the distribution of the work. It was at first thought preferable that the distribution should not take place until both volumes were available, but in view of the delay which had already occurred, and the further delay which appeared probable in the completion of the second volume, the Director instructed the publisher to distribute the volumes, each immediately upon its respective appearance, to the institutions contained in the list. In the formulation of the list of institutions, special attention was given to Latin American countries and to such institutions in other parts of the world as seemed desirable under the circumstances.

#### **Descamps and Renault—"Recueil des Traités du Dix-Neuvième Siècle"**

At the meeting of the Executive Committee held on October 20, 1913, it authorized the Director to advise the editors of the *Recueil des Traités du XIX<sup>e</sup> Siècle* that the Endowment would subscribe for one hundred copies of the vol-

umes of this collection of treaties in force as they appear. The editors of the collection are Baron Descamps and Mr. Louis Renault, both members of the Hague Permanent Court of Arbitration and members and former presidents of the Institute of International Law. These gentlemen are also coeditors of the *Recueil International des Traités du XX<sup>e</sup> Siècle*, six volumes of which have already appeared, an invaluable collection of the treaties and arbitral awards of the twentieth century giving their original texts and French translations. The *Recueil des Traités du XIX<sup>e</sup> Siècle* will complement this work by including all the conventional law in force to the close of the year 1900. It will appear in from six to nine volumes with very complete indexes, of which the first volume is in press and is expected to be published during the course of the present year.

The undertaking of this publication is a very expensive one. Labors of this kind are largely labors of love, to which the editors devote their time without other reward than that which comes from having made knowledge more accessible. In the present instance the editors have renounced in favor of the publisher any remuneration to which they might be entitled in order that he may be relieved of what would otherwise be a very considerable outlay. It is proper to state, in this connection, that the work has taken a very considerable portion of the time of the learned editors during the past few years, and that Mr. Jules Basdevant, professor of international law at the University of Grenoble, has, under the direction of the editors, visited the foreign offices of many countries and has himself made the investigations necessary for the preparation and publication of the work. It may therefore be expected to be a standard publication and, as it states the conventional law in force at the close of the nineteenth century, it renders a service to all persons interested in international rights and duties, in so far as they are founded on treaties in force.

#### Proceedings of the American Society for the Judicial Settlement of International Disputes—Conferences of 1911 and 1912

Upon the recommendation of the Director, the Executive Committee, on October 3, 1912, authorized the purchase of not exceeding 1,000 copies of the report of the *Proceedings of the American Society for Judicial Settlement of International Disputes* for the year 1911, for distribution among the correspondents of the Endowment and its constituent organizations, and to such other persons as the Director should deem expedient.

This volume contained the addresses delivered at the conference of the Society, which was held in Cincinnati, November 7–11, 1911.

Among the speakers at the sessions of the conference were the President of the United States, the presidents of seven universities and colleges, viz.: Cornell, Swarthmore, Washington and Lee, University of South Carolina, Central University of Kentucky, Ohio University, Cincinnati University,—a number of professors of prominent universities and colleges, and other distinguished men.

A variety of subjects was discussed, all relative to the cause for which the Society was formed: the judicial settlement of international disputes.

The 1,000 copies of the report were distributed in the same manner as those for the conference in 1910, as follows:

Members of the Institute of International Law  
Members of the Permanent Court of Arbitration at The Hague  
Members of the Second Hague Conference  
Members of the Fourth Pan American Conference  
Members of the Central American Court of Justice  
Members of the Advisory Council of the Division of Intercourse and Education in Europe  
The European Secretariat of the Division of Intercourse and Education  
The correspondents of the European Secretariat  
The special correspondents of the Division of Intercourse and Education  
The International Permanent Bureau at Berne  
Members of the Committee of Research of the Division of Economics and History  
A selected list of professors of international law

The Society's third conference was held at Washington, December 20-21, 1912. An interesting program was given along the line of that of preceding conferences. The speakers comprised representative men of all classes, including the Governor of Connecticut, the Attorney General of the United States, eminent lawyers, and university presidents.

At its meeting on May 24, 1912, the Executive Committee authorized the Director to purchase and distribute 1,000 copies of the *Proceedings* of the Third Conference in the same manner as was done in the preceding conferences.

Comment upon the usefulness of this society and its publications is contained in a separate section of this report (page 152).

#### **Observations on Miscellaneous Publications of the Division**

While comment has been made in other sections of this report respecting certain special publications of the Division, it is thought desirable that some statement be made concerning other publications, which have been issued during the past year, more appropriately termed miscellaneous publications. The following remarks are therefore submitted:

*Report on the Teaching of International Law in the Educational Institutions of the United States:* This report comprises 48 pages, including 11 large sheets of carefully prepared tabulations respecting this subject, involving, in the first instance, a great amount of correspondence with the different universities and colleges in order to obtain the information necessary for a report on the subject. Inquiries were made as to whether the subject was taught, and the number of

students in attendance upon classes during the particular year under investigation. Also like inquiries were made with regard to related subjects. Considering the large number of universities and colleges in the United States, it is apparent that the task was of some magnitude.

*Report on the Neutrality Laws of the United States:* This publication, comprising some 200 pages, entailed, so far as the stenographic, typewriting, and printing work was concerned, much time and attention. The large amount of scientific research and careful examination and analysis necessary by the one directly charged with its preparation needs no comment.

*Pamphlet on the Arbitrations and Diplomatic Settlements of the United States:* This is a pamphlet of some 30 pages, purporting to give, in the briefest form, the arbitrations and diplomatic settlements which the United States has had with other governments since the Jay Treaty of 1794. Each arbitration and settlement is set out briefly and a summary of the whole is appended. In addition references are made in each case to publications where more detailed information can be obtained. It will be apparent that the preparation of such a work involves broad research and painstaking accuracy.

In addition to the publications enumerated above, there have been from time to time special confidential documents prepared by the Division on a variety of subjects, as, for example, four pamphlets in the French language on the *American Institute of International Law*; the *Rapport au Comité Consultatif pour la Fondation Carnegie sur la Création d'une Académie de Droit International et de Sciences Politiques*, a report for the most part written in the French and German languages and comprising 227 printed pages; and two reports upon the relations between the Division and the Institute of International Law, both in the French language, entitled *Institut de Droit International et la Division de Droit International de la Dotation Carnegie pour la Paix Internationale*, and *Institut de Droit International, Session d'Oxford (1913)*, *Comité Consultatif pour la Fondation Carnegie, Sessions d'Oxford et de La Haye (1913)*.

*Confidential Prints:* Of these there were issued during the past year two numbers, viz.: No. 3 of March 15, and No. 4 of November 30. These confidential prints are issued at irregular intervals, dependent upon the material in hand of such interest to the Board of Trustees as to warrant printing. They are designed to bring before the Board correspondence of the Division which will acquaint the members with the work being carried on.

### Conclusion

Finally, in order that the Trustees may have an adequate conception of the entire activities of the Division of International Law, the Director deems it proper to state that much time in careful research and the preparation of memoranda is required of the Division to enable it intelligently to answer the many in-

quiries which come to it from persons, in public as well as private life, requesting information on the various subjects which fall within the scope of international law and diplomatic history. The Director believes, and he assumes that the Board will concur, that it is not alone the work of the Division to execute the specific projects which have received the approval of the Trustees, but that in order fully to carry out the broad general purposes for which the Endowment, and especially the Division of International Law, has been formed, it is incumbent upon the Division to further this purpose so far as it is practicable in connection with its specific work, by giving courteous attention to legitimate inquiries. This, it seems to the Director, is a most important part of the work of his Division, as he knows from his experience in the Department of State that an interest in international law and diplomatic relations is becoming more and more prevalent, while at the same time there is no agency, aside from the Endowment, which can give the necessary attention to satisfying this interest.

Respectfully submitted,

JAMES BROWN SCOTT,  
*Director of the Division of International Law.*

WASHINGTON, D. C., *March 17, 1914.*



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## **REPORT OF THE AUDITOR**

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**THE AMERICAN AUDIT COMPANY**

**COLORADO BUILDING**

**WASHINGTON, D. C.**

*March 7, 1914.*

*The Executive Committee,  
Carnegie Endowment for International Peace,  
Washington, D. C.*

Sirs:

We have audited the accounts and records of the Carnegie Endowment for International Peace from November 1, 1912, to December 31, 1913, and submit our report.

We verified the foreign remittances made directly from the headquarters of the Endowment with receipts presented to us, finding that in some cases receipts had not been received and are being traced by the Endowment.

The remittances to the European Secretariat and Bureau at Paris were verified from acknowledgments received from that Bureau and the Paris depository; we did not audit the disbursements made by the Paris Bureau from these remittances as that is done in the office of the Endowment.

The interest accrued on bank balances of the Paris Bureau since January 1, 1913, has not been entered on the books of the Endowment and is not included in our figures.

Deficiencies in allotments for year ended June 30, 1913, charged to other allotments amount to \$74.00.

The income from the Endowment Fund and from other sources has been duly accounted for and expenditures, with the exceptions referred to, are supported by proper vouchers.

On Wednesday, March 4, 1914, Mr. Charles W. Goetchius, Assistant Treasurer of the American Audit Company, in company with Mr. George W. Perkins, Chairman of the Finance Committee, and Mr. Robert A. Franks, visited the Endowment's depository, and counted and examined the bonds of the Endowment Fund, amounting to \$10,000,000, finding the same on hand and in proper order.

These bonds are all registered in the names of George W. Perkins, Samuel Mather and Robert A. Franks, Finance Committee of the Carnegie Endowment for International Peace, as temporary Trustees under Declaration of Trust dated March 28, 1911. These bonds are not endorsed.

We desire to express our appreciation of the courtesies shown us and the assistance rendered, all information being readily obtainable.

Respectfully submitted,

(Seal.)

**THE AMERICAN AUDIT COMPANY,**

Approved:

By C. R. CRANMER,

F. W. LAFRENTZ,

*Resident Manager.*

*President.*

Attest:

A. F. LAFRENTZ,

*Asst. Secretary.*



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## **REQUIREMENTS FOR APPROPRIATION**

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**REQUIREMENTS FOR APPROPRIATION FOR THE FISCAL YEARS ENDING  
JUNE 30, 1914 AND JUNE 30, 1915**

<b>Administration</b>	<b>1913-1914</b>	<b>1914-1915</b>
Salaries .....	\$25,240.00	\$28,820.00
Office expenses .....	5,890.00	7,225.00
Maintenance of headquarters .....	5,700.00	3,850.00
Traveling expenses .....	2,500.00	3,000.00
Contingent fund .....	2,500.00	1,000.00
<b>Totals</b> .....	<b>\$41,830.00</b>	<b>\$43,895.00</b>
<b>Library and Year Book</b>		
Library fund .....	\$3,000.00	\$3,000.00
Salaries .....	1,600.00	2,320.00
Publication of Year Book.....	4,500.00	6,700.00
<b>Totals</b> .....	<b>\$9,100.00</b>	<b>\$12,020.00</b>
<b>Division of Intercourse and Education</b>		
Expenses of New York office.....	\$10,000.00	\$10,700.00
Expenses of European Bureau at Paris.....	15,970.00	16,150.00
Work through European Bureau.....	49,850.00	49,850.00
Special correspondents .....	5,400.00	5,400.00
American Association for International Conciliation (including payments abroad) .....	34,700.00	37,900.00
Other subventions in the United States.....	31,000.00	33,500.00
International visits:		
Relations with other American republics.....	20,000.00	20,000.00
Relations with Japan .....	5,000.00	5,000.00
Entertainment of distinguished foreigners.....	5,000.00	5,000.00
International visits of representative men.....	20,000.00	20,000.00
Contingent fund .....	16,280.00	18,000.00
<b>Totals</b> .....	<b>\$213,200.00</b>	<b>\$221,500.00</b>
<b>Division of Economics and History</b>		
Office expenses and editorial work.....	\$10,000.00	\$12,000.00
Honoraria of Committee of Research.....	19,000.00	19,000.00
Traveling expenses .....	1,000.00	.....
Translating and printing .....	25,000.00	50,000.00
Research work in Europe, Asia, North and South America .....	36,000.00	35,000.00
Conference and traveling expenses of members of Committee of Research and collaborators.....	.....	8,000.00
Contingent fund .....	10,000.00	10,000.00
<b>Totals</b> .....	<b>\$101,000.00</b>	<b>\$134,000.00</b>
Reappropriation of balances (which revert to treasury) due under contracts .....	<b>\$35,000.00</b>	<b>\$17,600.00</b>

Division of International Law	1913-1914	1914-1915
Salaries .....	\$7,000.00	\$9,440.00
Office expenses .....	3,000.00	3,100.00
Collection of international arbitrations.....	7,250.00	3,500.00
Collection and publication of arbitration treaties.....	.....	3,500.00
Translation of <i>Das Werk vom Haag</i> .....	.....	1,000.00
Preparation of Spanish work on international law....	.....	3,000.00
Preparation and publication of report on Third Hague Conference .....	.....	2,500.00
Publication of decisions of the Hague Tribunal.....	.....	2,000.00
Distribution of <i>Traité en Vigueur</i> .....	.....	1,000.00
Exchange of international law professors.....	.....	5,000.00
Distribution of <i>Recueil des Arbitrages Internationaux</i> .....	1,200.00	.....
Translation and publication in English of Fiore's <i>Il Diritto Internazionale Codificato</i> .....	2,000.00	.....
Conference of American teachers of international law and distribution of proceedings.....	5,000.00	.....
Printing and distribution of Report on Neutrality Laws .....	1,000.00	.....
Translation and publication in English of Conventions adopted by First and Second Hague Conferences, together with accompanying official reports.....	2,500.00	.....
Aid to journals of international law.....	15,000.00	17,020.00
Subventions to societies .....	.....	6,500.00
Institute of International Law.....	20,000.00	20,000.00
Academy of International Law at The Hague.....	.....	20,000.00
Projects approved by Consultative Committee.....	50,000.00	.....
Contingent fund .....	.....	15,000.00
<b>Totals .....</b>	<b>\$113,950.00</b>	<b>\$112,560.00</b>
Reappropriation of balance for Academy of International Law which reverts to treasury.....	.....	\$20,000.00
<b>Emergencies</b>		
Appropriation for emergencies .....	\$50,000.00	\$50,000.00
<b>Recapitulation</b>		
<b>NEW APPROPRIATIONS:</b>		
Administration .....	\$41,830.00	\$43,895.00
Library and Year Book.....	9,100.00	12,020.00
Division of Intercourse and Education.....	213,200.00	221,500.00
Division of Economics and History.....	101,000.00	134,000.00
Division of International Law.....	113,950.00	112,560.00
Emergency appropriation .....	50,000.00	50,000.00
<b>Totals .....</b>	<b>\$529,080.00</b>	<b>\$573,975.00</b>
<b>REAPPROPRIATIONS:</b>		
Division of Economics and History.....	\$35,000.00	\$17,600.00
Division of International Law.....	.....	20,000.00
<b>Totals .....</b>	<b>\$35,000.00</b>	<b>\$37,600.00</b>

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**RESOLUTIONS AND APPROPRIATIONS OF BOARD  
OF TRUSTEES**

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## RESOLUTIONS AND APPROPRIATIONS OF THE BOARD OF TRUSTEES

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MEETING OF APRIL 18, 1913

Appropriations for the Fiscal Year Ending June 30, 1914

### ADMINISTRATION

*Resolved*, That the sum of fifty thousand nine hundred and thirty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1914, for the purposes of administration, and charged to the current income for that year.

### DIVISION OF INTERCOURSE AND EDUCATION

*Resolved*, That the sum of two hundred and thirteen thousand two hundred dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1914, for the Division of Intercourse and Education, and charged to the current income for that year.

### DIVISION OF ECONOMICS AND HISTORY

*Resolved*, That the sum of one hundred and thirty-six thousand dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1914, for the Division of Economics and History, and charged to the current income for that year.

### DIVISION OF INTERNATIONAL LAW

*Resolved*, That the sum of one hundred and thirteen thousand nine hundred and fifty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1914, for the Division of International Law, and charged to the current income for that year.

### EMERGENCY FUND

*Resolved*, That to meet unforeseen emergencies as they arise during the fiscal year ending June 30, 1914, the sum of fifty thousand dollars be, and it is hereby, appropriated as a separate fund from the unappropriated balance of the income of the Endowment to be specially allotted by the Executive Committee in its discretion.

### **Amount of Support of Peace Organizations**

*Whereas*, It is not the policy of the Endowment to substitute its action for the interest and activity of others in the cause of peace; therefore, be it

*Resolved*, That, whenever it appears that the allotment of money by the Endowment to any other organization constitutes an undue proportion of the income of such organization, it will be the policy of the Endowment to reduce gradually its allotment.

### **Autumn Meeting of the Board of Trustees**

*Resolved*, That the following sentence be added to Section 2, Article 2, of the By-Laws:

"A special meeting of the Board on the second Friday of November in each year shall be called and held in accordance with the provisions of this section, for the transaction of such business as the Board shall determine upon, including any special appropriations that may be found necessary."

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### **MEETING OF NOVEMBER 14, 1913**

#### **Place of Autumn Meeting of the Board of Trustees**

*Resolved*, That it is the sense of the Trustees that the November meetings of the Board shall be held in different cities, to be determined upon each year by the Executive Committee, provided it is practicable to secure the attendance of the members of the Board.

#### **Appropriations for Purchase of Headquarters Buildings at Washington, D. C.**

*Resolved*, That to provide for reimbursement of the appropriation for emergencies for the fiscal year ending June 30, 1914, of the sum paid out of that appropriation on account of the purchase of premises No. 2 Jackson Place, Northwest, Washington, D. C., the sum of thirty-five thousand five hundred and twenty-five dollars be, and the same is hereby, appropriated from the unappropriated surplus and added to the appropriation for unforeseen emergencies for the fiscal year ending June 30, 1914.

*Resolved*, That to provide for the purchase of premises known as No. 4 Jackson Place, Northwest, Washington, D. C., the sum of forty-seven thousand dollars be, and it is hereby, appropriated from the unappropriated surplus.

## MEETING OF APRIL 17, 1914

## Appropriations for the Fiscal Year Ending June 30, 1915

## ADMINISTRATION

*Resolved*, That the sum of forty-three thousand, eight hundred and ninety-five dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the purposes of administration, and charged to the current income for that year.

## LIBRARY AND YEAR BOOK

*Resolved*, That the sum of twelve thousand and twenty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the purposes of the library and publication of the Year Book.

## DIVISION OF INTERCOURSE AND EDUCATION

*Resolved*, That the sum of two hundred and twenty-one thousand, five hundred dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of Intercourse and Education, and charged to the current income for that year.

## DIVISION OF ECONOMICS AND HISTORY

*Resolved*, That the sum of one hundred and thirty-four thousand dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of Economics and History, and charged to the current income for that year.

*Resolved*, That the sum of seventeen thousand, six hundred dollars be, and it is hereby, reappropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, to complete contracts of the Division of Economics and History the allotments for which will revert to the treasury on June 30, 1914.

## DIVISION OF INTERNATIONAL LAW

*Resolved*, That the sum of one hundred and twelve thousand, five hundred and sixty dollars be, and it is hereby, appropriated to be expended under the direction of the Executive Committee during the fiscal year ending June 30, 1915, for the Division of International Law, and charged to the current income for that year.

*Resolved*, That the sum of twenty thousand dollars be, and it is hereby, reappropriated to be expended under the direction of the Executive Com-

mittee during the fiscal year ending June 30, 1915, to provide for the balance of the allotment for the Academy of International Law, established under the auspices of the Division of International Law, which will revert to the treasury on June 30, 1914.

#### EMERGENCY FUND

*Resolved*, That to meet unforeseen emergencies as they arise during the fiscal year ending June 30, 1915, the sum of fifty thousand dollars be, and it is hereby, appropriated as a separate fund from the unappropriated balance of the income of the Endowment to be specially allotted by the Executive Committee in its discretion.

#### Amount of Support of Peace Organizations

*Resolved*, That the Board hereby approves the policy recommended by the Executive Committee at its meeting on February 21, 1914, of establishing a relation between subventions from the funds of the Endowment and the other sources of revenue of the various subventionaires.

*Resolved further*, That for the year 1915-16 the relation referred to shall not exceed the ratio of three to one, that is to say, that within the limits of the funds of the Endowment which are available for the purpose, the various subventionaires shall not receive from the funds of the Endowment more than three dollars for each dollar raised from other sources during the previous year.

#### Transfer of Balances of Appropriations

*Resolved*, That in case the respective sums appropriated from time to time by the Board can not be usefully expended for some, and additional sums are required for other, of the purposes specified in the appropriations, the Executive Committee is hereby authorized to transfer balances from one to another of said purposes.

#### In Memoriam

JOHN LAMBERT CADWALADER, a Trustee of the Carnegie Endowment for International Peace, died in New York on March 11, 1914.

Born November 17, 1837, he consecrated his long and useful life earnestly and effectively to the advancement of the human race.

A graduate of Princeton University in 1856, of the Harvard Law School in 1859, and the recipient of honorary degrees from many institutions, he became preëminent in his chosen profession of the law, in which he displayed a remarkable ability to concentrate his mind upon intricate problems and a like success in their solution.

Actuated by the highest ideals of public service, he became a trustee and president of the New York Public Library; a trustee of the Metropolitan Museum of Art, of the New York Zoölogical Society, of Princeton University, and of the Carnegie Institution of Washington, with all of which organizations the Endowment shares the loss of a citizen whose keen

intellect, sound judgment, and breadth of mind made him an invaluable counselor in the affairs of city, state and nation: Therefore, be it

*Resolved*, That the Trustees of the Carnegie Endowment for International Peace extend their profound sympathy to the family of Mr. Cadwalader, and inscribe in their permanent records this tribute to his character as a man and his services as a citizen.















